

# EXHIBIT 1

Pursuant to Local Rule 5.3(A), exhibits attached hereto have been redacted to protect the personal privacy of individuals, including dates of birth and social security numbers.

Charles Robinson  
March 23, 2005

**ORIGINAL**

VOLUME: I  
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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
C.A. No. 04-11964-NG

CHARLES ROBINSON,  
Plaintiff

vs.

TELESECTOR RESOURCES  
GROUP, INC., D/B/A  
VERIZON SERVICES GROUP,  
Defendant

DEPOSITION OF: CHARLES ROBINSON, taken on  
behalf of the Defendant, before CAROL A. CARPENTIER,  
Notary Public and Court Reporter, pursuant to the  
applicable rules of the Federal Rules of Civil  
Procedure, at the offices of Day, Berry & Howard,  
260 Franklin Street, Boston, Massachusetts, on  
March 23, 2005, commencing at 10:00 a.m.

Kaczynski Reporting  
72 Chandler Street, Suite 3  
Boston, Massachusetts 02116

KACZYNSKI REPORTING  
617.426.6060

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1 in any other lawsuit?

2 A. No.

3 Q. Okay. Anyone in your family been a party  
4 to a lawsuit other than yourself in this lawsuit?

5 A. To the best of my knowledge, no.

6 Q. Okay. What's your social security  
7 number, sir?

8 A.

9 Q. And your date of birth?

10 A. 49.

11 Q. Have you spoken to any current or former  
12 Verizon employees since you left Verizon on  
13 August 28th of 2001 with regard to any of the claims  
14 you are making in this lawsuit?

15 A. No.

16 Q. You hesitated a bit. Is that because  
17 you've spoken to them but not about the claims in  
18 this lawsuit?

19 A. That's correct.

20 Q. Who is Paul Lynch?

21 A. Paul Lynch is a Verizon employee.

22 Q. Okay. Have you spoken to him about the  
23 claims in this lawsuit?

24 A. The claims, no.

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Redacted

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1 companies?

2 A. I really didn't leave them. They didn't  
3 provide me forty hours' work.

4 I did leave them to go to Utility  
5 Consultants.

6 Q. Which did provide you forty hours?

7 A. That's correct.

8 Q. Okay. Just briefly, if you would, sir,  
9 tell me your positions prior to April of 2000 at  
10 Verizon and its predecessors. You started working  
11 there at what point?

12 A. 1/5/70.

13 Q. Okay.

14 MR. FRAGOMENI: Is it January 5th of  
15 1970.

16 THE WITNESS: Yes.

17 Q. (By Mr. Springer) And was this the first  
18 full-time job you had had?

19 A. No. It was not.

20 Q. Okay. Where did you work previously?

21 A. I worked at the Post Office.

22 Q. For a few years?

23 A. I don't know exactly.

24 Q. Okay. And prior to the Post Office,

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1 you'd been attending college and going to high  
2 school; is that correct?

3 A. And high school, yes.

4 Q. Okay. And again then, just describe your  
5 history, your employment history at Verizon with --  
6 to the extent that you can dates and positions at  
7 Verizon and its predecessors prior to the year 2000,  
8 April of 2000.

9 A. Okay. I may as well start from the  
10 beginning.

11 Q. Sure.

12 A. For the first, I believe approximately  
13 fifteen years, I was a cable splicer. After that, I  
14 was a high tech foreman for approximately five  
15 years. After that, I was in Planning for Verizon.  
16 After that, I was on the staff, Engineering and  
17 Construction staff, and after that, that's it.

18 Q. Okay. When you say Planning for Verizon,  
19 how long were you doing that?

20 A. I'd say approximately five years also.

21 Q. Okay. And where were you located?

22 A. On Hancock Street in Quincy.

23 Q. Okay. Do you remember who your  
24 supervisor was?

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1 A. Yes, I do, a few of them.

2 I had Richard Andrade, Jeffrey Ross and  
3 Paul Diotalevi (phonetic spelling).

4 Q. Okay. And then after you spent five  
5 years in Planning, you then went to Engineering and  
6 Construction?

7 A. Staff.

8 Q. The staff? And how many years did you  
9 work there?

10 A. Oh, prior to that, I'm -- I was in  
11 Engineering also for Verizon in between there  
12 somewhere.

13 Q. Okay. And then you went to Engineering  
14 and Construction when they were combined?

15 A. Actually, they were always combined and  
16 then there was a short time they --

17 Q. They separated?

18 A. -- they separated and then they were  
19 back.

20 Q. Okay. And how many years did you work in  
21 Engineering and Construction?

22 A. Well, basically all of those jobs, even  
23 from the time that I was a splice -- so thirty  
24 years, I mean.

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1 Q. Sure. And when you were on the  
2 Engineering and Construction staff, how long did you  
3 work on that staff?

4 A. I -- again, I -- approximately three,  
5 four, years.

6 Q. Okay. And who was your supervisor at  
7 that point?

8 A. I had David DeLorie, and, I believe,  
9 Cathy Werner (phonetic spelling). I don't believe  
10 there was anybody else.

11 Q. Okay. Who did you work with? Did you  
12 work with people like Ed Sherman or was he in a  
13 different place?

14 A. He was a different place.

15 Q. Okay.

16 A. He was in the field.

17 Q. And who were -- who was the supervisor  
18 for David DeLorie and Cathy Werner?

19 A. It -- I don't recall their names right  
20 now.

21 Q. Okay. Was Glenn Beasley the Vice  
22 President at that point?

23 A. I've heard the name Glenn Beasley.

24 Q. Okay. But you don't remember if he was



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1 the Vice President at that time?

2 A. That's correct.

3 Q. Okay. And you don't remember who their  
4 supervisor was?

5 A. Not at this time.

6 Q. Okay. What did you do in the Engineering  
7 and -- by the way, were you on the Engineering and  
8 Construction staff before you became a Team Leader  
9 under Hank Pilat?

10 A. That's correct.

11 Q. Okay. What did you do on the Engineering  
12 and Construction staff?

13 A. I wrote methods and procedures for the  
14 field.

15 Q. Were those the techs out in the field?

16 A. No, also for management people.

17 Q. Okay. What else did you do?

18 A. I attended meetings.

19 Q. Okay. What else?

20 A. That's all I recall right now.

21 Q. Okay. Did you supervise anyone?

22 A. On the staff, no.

23 Q. Okay. Prior to being on the staff, did  
24 you supervise anyone when you were working five

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1 years in planning for Verizon?

2 A. Yes.

3 Q. Okay. And who did you supervise there?

4 A. I supervised one clerk.

5 Q. Okay. And when you were a high-tech  
6 foreman, did you supervise anyone?

7 A. Absolutely yes.

8 Q. And how many people did you supervise at  
9 that point?

10 A. I would say anywhere from ten to twenty.

11 Q. Okay. And were those techs that you  
12 supervised?

13 A. Yes.

14 Q. Okay. And tell me your duties as  
15 foreman, if you would?

16 A. It was to ensure that -- first of all, to  
17 get the work done, make sure that the employees were  
18 doing their job and to make sure that I provided  
19 service to all of our customers, both internal and  
20 external.

21 Q. And what did your supervisory duties  
22 entail; that is, what did you instruct your techs to  
23 do?

24 A. Whatever the -- I had a unique position.

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1 My position was that I not only built a high-tech  
2 network but I maintained it, so depending on the  
3 workload, that's how I dispatched my people.

4 Q. Okay. So you would determine what the --

5 A. That's correct.

6 Q. Just let me finish --

7 You would determine what jobs they did?

8 A. That's --

9 Q. Is that correct?

10 A. --- correct?

11 Q. And you'd have work assignments for them  
12 on a daily basis, depending on what needed to be  
13 done?

14 A. Yes.

15 Q. And then you spent fifteen years as a  
16 cable splicer and you were out in the field?

17 A. That's correct.

18 Q. Okay. And when you were fifteen years as  
19 cable splicer, you were working for a foreman?

20 A. That's correct.

21 Q. Do you remember who that was?

22 A. Numerous foreman over those years.

23 Q. What area were you in?

24 A. I was a Dorchester-Roxbury area.

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1 Q. Okay. So is it fair to say before you  
2 became a Team Leader for -- under Mr. Pilat's  
3 supervision that you had only supervised one clerk  
4 for the previous nine or so years; is that correct?

5 A. Yes.

6 Q. And on the Engineering and Construction  
7 staff, what was the function of the staff, if you  
8 could describe it generally; what services did you  
9 provide?

10 A. The staff basically -- I was basically  
11 involved always with the latest technologies, so  
12 again, my function was to understand what was going  
13 on with these new technologies and how they related  
14 to the field and to provide that documentation for  
15 the field to follow in order to have a standard  
16 product throughout the whole Verizon footprint.

17 Q. And what did that footprint encompass,  
18 just the northeast or was it also New York?

19 A. It was New York also.

20 Q. Okay. And New Jersey at that point?

21 A. To.

22 Q. Okay.

23 A. To the best of my recollection no.

24 Q. Okay. What was your salary, if you

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1 A. That's correct.

2 Q. Okay. Tell me why.

3 A. Why did I enjoy it?

4 Q. Sure.

5 A. Because I was brought up in -- throughout  
6 Verizon my whole career basically starting from the  
7 bottom and my knowledge that I obtained -- I  
8 attained throughout my career led me to enjoy the  
9 job because I knew that I could make a contribution  
10 on the staff.

11 Q. Anything else?

12 A. Not that I -- no.

13 Q. At some point you came to leave the  
14 Engineering and Construction staff; is that correct?

15 A. That's correct.

16 Q. How did that happen?

17 A. There was a job that was available at the  
18 NMC and I thought that that would be a good move for  
19 me.

20 Q. Just so the record's clear, tell me and  
21 the court reporter what the NMC is.

22 A. It was the Network Market Center.

23 Q. Okay. And why did you think that would  
24 be good for you?

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1 Q. What were those entities?

2 A. Again, every department within the phone  
3 company -- when I say every department, I'm talking  
4 on the Engineering and Construction side the  
5 Installation side, all of those departments I  
6 interfaced with and basically that would have also  
7 been part of the NMC -- how -- the work flow.

8 Q. Had you previously worked with the  
9 CLEC's?

10 A. I had never worked for the CLEC's, no.

11 Q. CLEC's by the way are Competitive Local  
12 Exchange Carriers?

13 A. Exchange Carriers.

14 Q. Had you had any training in SOPS?

15 A. Service Order Provisioning System?

16 Q. Yes.

17 MR. FRAGOMENI: Say that again.

18 THE WITNESS: It's a service order  
19 provisioning system.

20 MR. SPRINGER: Okay.

21 Q. (By Mr. Springer) Had you had any  
22 training in SOPS?

23 A. No, I never had training in SOP.

24 Q. So prior to taking the job in the NMC,

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1 you had not had any training in SOP?

2 A. That's correct.

3 Q. Okay. What did you understand -- what  
4 did you know about the job that you were being hired  
5 or -- withdraw that.

6 What did you know about the opening in  
7 NMC? What did you know about the nature of that  
8 position?

9 A. I knew that the nature of the position  
10 was such that I, with my engineering background that  
11 I would be an asset to, to the NMC.

12 Q. What --

13 A. Because --

14 Q. Go ahead.

15 A. Okay. Because of the fact I had been  
16 interfacing with the NMC and I realized that there  
17 were specific processes that could be put in place  
18 to resolve issues.

19 Q. Had you interfaced at all with Mr. Pilat  
20 before you had gone over to work at the NMC?

21 A. Yes, I had.

22 Q. Had you gotten along with him?

23 A. Yes.

24 Q. Interfaced well with him?

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1 A. Yes.

2 Q. Thought well of him?

3 A. Yes.

4 Q. Okay. In what way did you interface with  
5 him prior to going over to the NMC?

6 A. What happened was the inventory builds.  
7 In order for service orders to process, inventory  
8 has to be there for the service order to process --  
9 inventory meaning facilities.

10 Q. And you worked with Mr. Pilat on that?

11 A. That's correct.

12 Q. In what way?

13 A. They would have a problem and I was on  
14 the staff, and if they had a problem, I would make  
15 sure that inventory was built properly.

16 Q. And how did you do that?

17 A. I would analyze, again, that wasn't my  
18 specific job for the inventory, but again  
19 Engineering is the one that has to provide that  
20 information to the LFACS staff and I would make sure  
21 that that information was -- existed and if it  
22 didn't exist, I would make sure that it was built.

23 Q. And just again, so we keep the court  
24 reporter in -- LFACS is L-F-A-C-S and it stands



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1 assignments on the staff was interfacing -- when I  
2 say interfacing with the CLEC's, interfacing with  
3 the various departments to provide CLEC's with  
4 methods and procedures and again, this was basically  
5 at the end of line actually interfacing with the  
6 CLEC's.

7 Q. That is the NMC interfaced with the  
8 CLEC's?

9 A. That's correct -- via -- yes, that's  
10 correct.

11 Q. Well, you would get calls, would you not,  
12 from --

13 A. Yes, I would, that's correct and that's  
14 why, you know, I just wanted to make sure I said it  
15 properly.

16 Q. Okay. Just so I can finish my  
17 question --

18 You would get calls from CLEC's like  
19 COVAD on occasion, would you not?

20 A. That's absolutely correct.

21 Q. Okay. We'll talk about those in a little  
22 bit.

23 You interviewed with Mr. Pilat prior to  
24 getting the NMC position; is that correct?

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1 A. That's correct.

2 Q. And describe that interview as best you  
3 can, if you remember.

4 A. I really don't remember. I provided him  
5 my resume.

6 Q. Okay.

7 A. And I sat down and he thought I would be  
8 excellent at the job also.

9 Q. Did he say that to you?

10 A. He gave me the job.

11 Q. Okay. But I'm what do you remember --

12 A. He never said that -- to the best of my  
13 recollection absolutely not.

14 Q. Okay. Tell me then if you remember  
15 anything that was said in that interview -- by him  
16 or you.

17 A. Just basically -- no, I don't.

18 Q. Okay. Did he do things that one would  
19 assume were done like describe the position to you  
20 and you would -- what your duties and  
21 responsibilities would be?

22 A. I would imagine so, yes.

23 Q. But you don't have any specific memory?

24 A. No.

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1 Q. Is that correct?

2 A. That's correct.

3 Q. Okay. And do you remember any of the  
4 questions that he asked you?

5 A. No, I don't.

6 Q. Okay. At the end of the interview, did  
7 -- did he offer you the job or did he say I'll --  
8 you know, I need to think about this and I'll get  
9 back to you?

10 A. I don't recall, but I -- I don't recall.

11 Q. Okay. How soon after the interview do  
12 you remember being offered the job?

13 A. I believe it was right then and there; I  
14 am not positive, but to the best of my recollection,  
15 it was right then and there that I was offered the  
16 job.

17 Q. Okay. Did anybody provide  
18 recommendations for you at your request?

19 A. I know that I -- I talked to a couple of  
20 people, but again, I don't know specifically who.

21 Q. Did you interview with anyone other than  
22 Mr. Pilat?

23 A. No, I didn't.

24 Q. Okay. And you'd said you had gotten

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1 Q. Okay. Do you work with her on the NMC  
2 staff at all?

3 A. No.

4 Q. Did you know Ruth Linda Rober prior to  
5 coming over on the NMC staff?

6 A. Yes, I did.

7 Q. Okay. Describe your relationship.

8 A. We were friends.

9 Q. How did you come to be friends?

10 A. I don't remember.

11 Q. And why do you call yourself -- why did  
12 you call yourself a friend of her, or why did you  
13 say you were friends with her?

14 A. We were friends. I mean I don't know  
15 what -- we were friends.

16 Q. We'll get back to that in a minute.

17 In this lawsuit you are claiming, are you  
18 not, Mr. Robinson, that you had a contract of  
19 employment with Verizon?

20 A. Yes.

21 Q. Okay. Can you tell me what the terms of  
22 that contract were?

23 A. The terms were basically that when I had  
24 my reviews and I was told that I was doing a good

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1 job and basically that was the contract.

2 Q. Just in your words, were there any more  
3 terms or conditions to the employment contract you  
4 had with Verizon other than what you've just said?

5 A. Well, over the course of my plus-years,  
6 thirty-one years, I believe that it was a mutual  
7 contract with myself and Verizon.

8 Q. Okay. And what was the nature of that  
9 contract?

10 A. That contract was that I would be loyal  
11 to them, I would provide my services to them and be  
12 honest in all my dealings.

13 Q. Okay. And what did they have to give you  
14 in return in your view in that contract?

15 A. I would think that I would be given  
16 loyalty back.

17 Q. Anything else?

18 A. Naturally be compensated.

19 Q. Okay. Anything else?

20 A. Not that I can think of right now.

21 Q. Other than the fact that you worked for  
22 thirty or thirty-one years for Verizon, was this  
23 contract written down in any place?

24 A. I never had a written contract.

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1 Q. Okay. Did you understand the concept of  
2 at-will employment?

3 A. I had never been told at-will employment.

4 Q. Okay. Had you ever -- do you remember  
5 ever having read it anywhere?

6 A. No, I do not.

7 Q. Do you have an understanding of what  
8 at-will employment is?

9 A. Not really.

10 Q. Okay. Do you remember receiving a code  
11 of conduct when you were a Bell Atlantic employee  
12 before the merger with Verizon?

13 A. I don't know specifically Bell Atlantic.

14 Q. Okay. Do you remember receiving a code  
15 of conduct?

16 A. Yes.

17 Q. How often did you receive a code of  
18 conduct if you remember?

19 A. I don't know the specifics.

20 Q. Okay. Do you remember receiving any  
21 training with regard to the code of conduct?

22 A. Training for the code of conduct -- no, I  
23 don't.

24 Q. Okay. Could you have received some and

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1 just not remember it?

2 A. Yes, I could have.

3 Q. You got a lot of training at Verizon?

4 A. That's correct.

5 Q. Okay. Let me see if I can refresh your  
6 recollection here.

7 MR. SPRINGER: (Hanging.)

8 (Short interruption.)

9 MR. SPRINGER: Back on the record.

10 (C. Robinson Exhibit No. 1, Code of  
11 Conduct, marked for identification.)

12 Q. (By Mr. Springer) Mr. Robinson, have you  
13 ever seen that document before?

14 A. Again, not in this format if I did.

15 Q. Well, in a booklet format?

16 A. Possibly yes.

17 Q. Okay. And did you -- when you were given  
18 the code of conduct, do you remember reading it?

19 A. Verbatim probably not.

20 Q. What was your understanding of what was  
21 contained in the code of conduct?

22 A. Basically to treat people that I want --  
23 the way that I wanted to be treated.

24 Q. Okay. Anything else that you remember in

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1 the code of conduct?

2 A. Nothing specific.

3 Q. Okay. And the code of conduct was an  
4 important document t Bell Atlantic and Verizon, was  
5 it not?

6 A. All of their documents were important.

7 Q. Well, but people cared about the code of  
8 conduct; they did provide training at various times  
9 with regard to it, didn't they?

10 MR. FRAGOMENI: Objection.

11 THE WITNESS: Again, I can't  
12 remember all the specifics.

13 Q. (By Mr. Springer) Do you remember others  
14 receiving training on the code of conduct, if you  
15 don't remember your own?

16 A. Again, as a supervisor I believe that I  
17 probably would have brought people in and read the  
18 code to them.

19 Q. Okay. And it concerned itself with the  
20 business ethics of the corporation, did it not?

21 A. Yes. The gist of it, yes.

22 Q. Now, I want you, if you could, to turn to  
23 the third page here, the one that says Notice at the  
24 top. I'm sorry, I think you've gone to Page 4. It



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1 says Notice there. Do you see that on the second  
2 page right up there --

3 A. Okay. Yeah.

4 Q. Okay. And there are a number of  
5 paragraphs about what the code of conduct is, and if  
6 you'd look at the third paragraph, do you see where  
7 it says there -- okay?

8 A. Yeah.

9 Q. This code of business conduct is not a  
10 code of employment -- is not a contract of  
11 employment between you and the Bell Atlantic Company  
12 that employs you.

13 Do you see that?

14 A. Yes, I do.

15 Q. And no it doesn't -- and does not give  
16 you rights of any kind; do you see that?

17 A. Yes, I do.

18 Q. Okay. Do you remember reading that?

19 A. I never remember reading that.

20 Q. Okay. But you do remember -- maybe not  
21 verbatim -- reading the code of conduct when it was  
22 given to you?

23 MR. FRAGOMENI: Objection to form.

24 Go ahead.

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1 THE WITNESS: Again, I -- I remember  
2 the code of conduct.

3 MR. SPRINGER: Okay.

4 Q. (By Mr. Springer) Do you remember  
5 reading it?

6 A. I remember reading it, but again, not to  
7 this degree.

8 Q. Okay. Well, as a supervisor, was -- was  
9 it not important that you be familiar with the code  
10 of conduct?

11 A. If that was in my job description, yes.

12 Q. Okay. And if it wasn't in your job  
13 description then you would think it wasn't  
14 important?

15 A. I don't know specifically what you mean  
16 by that.

17 Q. Well, I'm asking what I thought was a  
18 straightforward question --

19 Was it important as a supervisor for you  
20 to familiar with the code of conduct?

21 A. I would say so, yes.

22 Q. Did your subordinates ask you questions  
23 with regard to the code?

24 A. I don't recall ever being asked any

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1 questions.

2 Q. Okay. Did you ever have to look up  
3 anything in the code that you remember?

4 A. No, I don't remember.

5 Q. Okay. Did any of your supervisors speak  
6 to you about the code of conduct -- that you  
7 remember?

8 A. Not that I remember, no.

9 Q. Okay. I am not going to read every part  
10 of this notice, but I am going to read some things  
11 in the next paragraph here where it says United  
12 States employees and US international assignees of  
13 Bell Atlantic Corporation and its subsidiaries must  
14 understand that there is no there fixed duration and  
15 there are no fixed terms or conditions to the  
16 employment relationship.

17 Do you see that?

18 A. Yes.

19 Q. Okay. Then the next sentence says:

20 Employees can terminate their employment  
21 whenever they wish and for whatever reason they  
22 might have with or without notice.

23 And you understood that as an employee of  
24 Bell Atlantic, you could do that, that you could

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1 terminate your employment whenever you wished and  
2 for whatever reason you might have without notice?

3 A. Yes, I did.

4 Q. Okay. And then it says:

5 Just as Bell Atlantic Corporation or its  
6 subsidiaries can terminate their employment or  
7 change the terms and conditions of their employment  
8 at any time or for any reason with or without notice  
9 unless the employment is covered by a collective  
10 bargaining agreement, you were not covered by a  
11 collective bargaining agreement, were you,  
12 Mr. Robinson?

13 A. No, I was not.

14 Q. And did you understand then that Bell  
15 Atlantic Corporation or its subsidiaries could  
16 terminate your employment or change the terms and  
17 conditions at any time or for any reason with or  
18 without notice?

19 A. I would say so, yes.

20 Q. Okay. And then it goes on to say:

21 This is known as employment at will.

22 Prior to my using that phrase a few  
23 minutes ago, have you ever heard the phrase  
24 employment at will?

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1           A.    No, I don't recall it. I'm sure, you  
2   know, over the course of my, you know, years as a  
3   person.

4           Q.    And then it says this will -- at-will  
5   employment relationship may not be modified except  
6   in a written agreement signed by the employee and an  
7   authorized representative of Bell Atlantic Company.

8                    You didn't have any written employment  
9   agreement, did you with --

10          A.    No, but over the years, I've also been  
11   told that that was my job from cradle to grave.

12          Q.    And when were you told that, when you  
13   were hired?

14          A.    Over the course -- basically, again, I  
15   can't recall, but I heard that phrase many, many  
16   times over the course of my career.

17          Q.    That it was your job from cradle to  
18   grave?

19          A.    Basically yes.

20          Q.    And do you -- you just don't remember  
21   when it was said to you?

22          A.    No.

23          Q.    Okay. Do you remember who said it to  
24   you?

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1           A.    I would say that supervisors had said  
2   that to me over the years.

3           Q.    Do you remember any specific supervisor  
4   and when?

5           A.    No.

6           Q.    Okay.  Now, my question to you though is.  
7                 Did you have any written agreement that  
8   modified your at-will relationship -- to your  
9   knowledge?

10          A.    No to my knowledge, no.

11          Q.    Okay.  I want to show you --

12                 MR. SPRINGER:  (Handing.)

13                 (C. Robinson Exhibit No. 2, Code  
14   Acknowledgement Form, marked for  
15   identification.)

16                 (C. Robinson Exhibit No. 3, Code of  
17   Conduct, marked for identification.)

18          Q.    (By Mr. Springer)  Mr. Robinson, why  
19   don't we look at Exhibit 2 for the moment, and  
20   that's an acknowledgment form; do you see that?

21          A.    Yes.

22          Q.    Okay.  And is that your signature?

23          A.    Yes, it is.

24          Q.    And Do you remember signing it?

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1           A.    It's my signature, so I'm sure I signed  
2   it.

3           Q.    Okay.  And I note that you acknowledged  
4   that you received a copy of Verizon's Connecting  
5   Through Integrity, our Code of Business Conduct.

6                   And when you signed it, were all of those  
7   statements true in the bullets; in other words, I  
8   have received a copy of Verizon's Connecting Through  
9   Integrity, Our Code of Business Conduct; I fully  
10   understand my responsibilities and know and abide by  
11   the standards of business conduct contained in  
12   Verizon's Connecting Through Integrity; I understand  
13   any violations of these standards can lead to  
14   disciplinary action; I am responsible for obtaining  
15   a copy of this code for reference.

16                   Were all of those true?

17           A.    I would say they're true, yes.

18           Q.    Okay.  So when you signed this  
19   acknowledgment, you were being truthful when you  
20   acknowledged each of these things; is that correct?

21           A.    And again, you know, I knew to the -- you  
22   know, have integrity, and again, as far as every  
23   single thing that's in that document, I don't know.

24           Q.    Okay.

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1           A.    Even though I signed this.

2           Q.    Had you signed any such form previously  
3 with regard -- withdraw that.

4                   Do you remember signing any such form  
5 previously with regard to the code of conduct?

6           A.    I am sure that I've signed this, these  
7 forms over the years.

8                   MR. FRAGOMENI:  He asked you if you  
9 remember.

10                  THE WITNESS:  I don't remember.

11                  MR. SPRINGER:  Okay.

12           Q.    (By Mr. Springer)  But you're sure that  
13 you have?

14           A.    I would -- I don't remember specifically  
15 that I signed these forms.

16           Q.    Okay.  But you said that you were sure  
17 that you had; was that not so?

18                  MR. FRAGOMENI:  Objection.

19                  THE WITNESS:  Again, I would have  
20 to say that I don't recall at this particular  
21 time.

22           Q.    (By Mr. Springer)  And you said that --  
23 I'm sorry.

24                   And you said you may not have read every



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1 word; is that correct?

2 A. That's correct.

3 Q. Did you retain a copy for reference?

4 A. I can't remember that.

5 Q. If you would look the page Bates No. 456  
6 and it says:

7 This code of business conduct is not an  
8 employment contract in any form, although adherence  
9 to these standards is a condition of employment.

10 You recognize that the code was not an  
11 employment contract?

12 MR. FRAGOMENI: Objection.

13 Q. (By Mr. Springer) Is that correct?

14 A. I don't really know what you mean by  
15 that.

16 Q. When you say you don't know what I mean  
17 by that, you don't know -- it says here it's not an  
18 employment contract, did you think it was an  
19 employment contract, Mr. Robinson?

20 A. I don't know if I read this specific --

21 Q. That's not question. My question is:

22 Do you know whether it's an employment  
23 contract?

24 A. I don't know if it's an employment

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1 contract.

2 Q. And it says here, again, about four lines  
3 down:

4 Employees can terminate their employment  
5 whenever they wish and for whatever they might have,  
6 with or without notice.

7 That's language that you'd -- we'd seen  
8 previous at Bell Atlantic, isn't that so?

9 A. I just read it over here.

10 Q. Yeah. And you're pointing to Exhibit 1,  
11 the Bell Atlantic Code of Conduct?

12 A. That's correct.

13 Q. And that's the same language, isn't it,  
14 basically?

15 A. I would say so, yes.

16 Q. Okay. And so you continued to  
17 understand, did you not, that you were an employee  
18 at-will who could terminate his employment whenever  
19 you wished for whatever reason you might have, with  
20 or without notice?

21 MR. FRAGOMENI: Objection to form.

22 THE WITNESS: Again, you know, I  
23 knew that I was free to leave.

24 MR. SPRINGER: Okay.

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1 Q. (By Mr. Springer) And similarly Verizon  
2 was free as an employee (sic) at will to terminate  
3 your employment or change its terms and conditions  
4 at any time?

5 A. I never viewed it as that.

6 Q. Okay. Why not?

7 A. Because, again, the previous statement  
8 that I had made about cradle to grave and again the  
9 loyalty that I exhibited towards the company, that's  
10 what I really felt.

11 Q. Okay. And that's what you relied on?

12 A. Yes.

13 Q. Okay. Anything else that you're relying  
14 to not view it as employment at will?

15 A. Again, there were times over my career  
16 because of the importance of my jobs that I -- my  
17 difference assignments that people wanted to make  
18 sure that I was going to stay, you know at that  
19 particular assignment.

20 Q. Okay.

21 A. Because of the unique knowledge that I  
22 possessed.

23 Q. Okay. That wasn't true in NMC, was it?

24 A. When you say --

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1 Q. Nobody made a statement that they wanted  
2 you to stay in NMC, did they?

3 A. I can't recall at the job interview  
4 specifically what was told to me or what I said.

5 Q. Okay.

6 A. At this time.

7 Q. Or anytime subsequent to that, did  
8 Mr. Pilat say that he wanted you to stay?

9 A. I don't recall anything like that.

10 Q. Okay. So other than the statements at  
11 various times that people told you they wanted it --  
12 you to stay in various jobs previous to the NMC and  
13 some supervisors who you can't remember at times you  
14 can't remember saying that Verizon or its  
15 predecessor was a as cradle-to-grave place and the  
16 loyalty you exhibited, that's your only reasons for  
17 saying that your employment was not at will; is that  
18 correct.

19 MR. FRAGOMENI: Objection.

20 THE WITNESS: That's all that I can  
21 name at this particular moment.

22 Q. (By Mr. Springer) Nothing else you can  
23 think of; is that correct?

24 A. I can't think of anything at this moment.

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1 Q. Okay. And are those the only reasons for  
2 your saying that you can only be terminated for  
3 cause.

4 Do you have any other reasons for saying  
5 you could be terminated for cause -- other than for  
6 cause, I'm sorry.

7 A. I cannot think of anything right now.

8 Q. Okay. Any other reasons -- one of your  
9 allegations in your -- you've read your complaint,  
10 haven't you, that you filed in this lawsuit,  
11 Mr. Robinson?

12 A. I don't recall reading it.

13 Q. Okay. Just so I am clear with regard to  
14 the contract that you have, what did Verizon do to  
15 violate that contract, terminate you?

16 A. I would say so, yes.

17 Q. Anything else it did to violate that  
18 contract?

19 A. Not that I can think of right now, no.

20 Q. Okay. Now, in -- one of your allegations  
21 is that you were wrongfully terminated in violation  
22 of a contractual obligation Verizon had; is that  
23 correct?

24 A. That's correct.

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1 Q. Okay. And was that again solely with  
2 regard to your termination as you understood it?

3 A. Yes.

4 Q. Okay. And had -- by the way, when you  
5 left Verizon, did it provide you everything it  
6 should have in terms of vacation pay and earnings;  
7 you don't have any claim that it didn't give you  
8 what you were entitled to, do you?

9 A. To the best of my knowledge, they  
10 provided me with everything that I should have been  
11 provided with.

12 Q. Okay. That you had earned up to that  
13 point; is that correct?

14 A. That's correct.

15 Q. Okay. So you're not owed any additional  
16 compensation for work you had done there; is that  
17 correct?

18 A. I don't believe so.

19 Q. Okay. Do you believe that you were  
20 terminated in violation of any public policy?

21 A. I believe that what happened, one of the  
22 reasons was the fact that Mr. Pilat and Ms. D'Amato  
23 basically wanted to provide preferential treatment  
24 to the wholesale arm of Verizon, the CLEC arm of

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1 Verizon and I voiced an objection to that.

2 Q. Okay. Tell me what you said and the  
3 circumstances in which you said it.

4 A. To the best of my recollection, it wasn't  
5 just myself; it was a meeting with other team  
6 leaders and Ms. Amato and Mr. Pilat, and again, I  
7 can remember -- again, not word for word or anything  
8 -- but they basically wanted us to go above and  
9 beyond the call of our duty to -- as far as  
10 correcting Verizon orders so that they would flow as  
11 opposed to what we would do for other CLEC's.

12 And again, I wasn't the only one that  
13 brought up an objection to this. There were other  
14 team leaders that brought up objections and again,  
15 statements by Mr. Pilat and Ms. D'Amato stated that  
16 they were a part of us and we shouldn't forget that  
17 they were a part of us.

18 Q. When did this meeting occur?

19 A. I would say -- I don't know  
20 specifically. I don't know specifically, but I  
21 would say in 2001.

22 Q. 2001, early in 2001?

23 A. I don't know specifically.

24 Q. Could it have occurred in the year 2000?

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1           A.    I don't know.

2           Q.    Okay. Did you think this had anything to  
3 do with your layoff?

4           A.    I -- I don't know but -- I don't know.

5           Q.    And you say other team leaders also  
6 voiced objection?

7           A.    That's correct.

8           Q.    Okay. And they weren't laid off, were  
9 they?

10          A.    To the best of my knowledge, no.

11          Q.    Okay. Do you remember which other team  
12 leaders voiced objection?

13          A.    It's pretty -- I know Patrick Padulski  
14 was on.

15          Q.    Okay. Anyone else that you remember?

16          A.    I can't remember.

17          Q.    Okay. And do you remember what you said  
18 at the meeting?

19          A.    Basically that we shouldn't -- not be  
20 doing what they proposed to do.

21          Q.    And you viewed what they proposed to do  
22 was over and beyond what was called for?

23          A.    Absolutely.

24          Q.    And in what way?



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1           A.    The NMC was basically a factory providing  
2   a service to the various CLEC's.  It -- when that  
3   service order came in, all the information was  
4   either on that service order, you know, the request  
5   from the CLEC for service properly or it was  
6   returned.  That was not the process that was  
7   involved with Verizon and so again, we were factory,  
8   we were not supposed to correct orders, you know,  
9   unless --

10                Again, we were supposed to correct  
11   orders.  Our function at the NMC was basically to  
12   type the order.  If it flowed through, it flowed  
13   through, and if it didn't flow through, if it was a  
14   typing error on our part, then he would straighten  
15   that typing error out, okay, within the bounds of  
16   the job responsibility.  Other than that, we were  
17   not supposed to go into various systems and correct  
18   information.

19           Q.    And that is what you thought Claudia  
20   D'Amato and Hank Pilat were asking you to do?

21           A.    Yes.

22           Q.    Is there anything else that you claim --  
23   withdraw that.

24                Let me get back to my question:

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1           Can you identify any violation of public  
2 policy that caused your termination?

3           A.    I do not recall anything else, other than  
4 what I've just provided you.

5           Q.    Okay. So there's no other public policy  
6 that you believe was involved with your termination;  
7 is that correct?

8           A.    To the best of my knowledge, no.

9           Q.    Okay. And as you've said, you don't know  
10 whether what occurred in that meeting had anything  
11 to do with your termination; is that correct?

12                   MR. FRAGOMENI: Objection.

13                   THE WITNESS: Again, I don't know  
14 one way or the other.

15                   MR. SPRINGER: Okay.

16           Q.    (By Mr. Springer) One of your claims  
17 here is that, as I understand it, that you were  
18 negligently terminated; is that correct?

19           A.    What does that specifically mean?

20           Q.    Well, I'm am trying to find out. Let me  
21 ask you it this way:

22                   Did you believe that Verizon failed to do  
23 something that it ought to have done that resulted  
24 in your termination?

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1 A. Yes, I do.

2 Q. And what did it fail to do?

3 A. It failed to provide me training.

4 Q. Okay. And what training did it fail to  
5 provide you?

6 A. Service order processing.

7 Q. Okay. Other than -- and let me ask this  
8 question:

9 What did the failure to provide you  
10 service order processing -- or SOPS -- have to do  
11 with your termination?

12 A. I would say that I was not, again, even  
13 though I was not able to write a service order as  
14 proficient as the other team leaders.

15 Q. Anything else the failure to provide you  
16 training with regard to service order processing had  
17 to do with your termination -- other than your lack  
18 of proficiency as compared to other team leaders?

19 A. I can't recall anything right now.

20 Q. Okay. And what duty did -- what duty was  
21 owed to you by Verizon to provide you training?

22 A. All of the other team leaders had the  
23 training.

24 Q. Okay. What training are you referring

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1 Q. Okay.

2 A. But the training that I'm referring to  
3 was specifically a three week, I believe a three  
4 week course. I don't remember the exact duration.

5 Q. Okay. Did you go to anyone else with  
6 this request other than Mr. Pilat?

7 A. Mr. Pilat was my immediate supervisor.

8 Q. So my -- your answer to my question is  
9 no; is that correct?

10 A. -- That's correct.

11 Q. Did you put in writing this request?

12 A. I may have.

13 Q. Do you have a copy of that?

14 A. No, I don't.

15 Q. Did Mr. Pilat ever tell you that you did  
16 need to get training with SOPS?

17 A. He told me that I should familiarize  
18 myself with it.

19 Q. And that it was important to familiarize  
20 yourself with SOPS?

21 A. No.

22 Q. Was it important that you familiarize  
23 yourself with SOPS?

24 A. No, I was all -- constantly told that it

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1 -- I felt that it was important. Mr. Pilat did not  
2 feel it was important. Mr. Pilat told me that the  
3 most important thing that I could do on my job was  
4 to meet FOC.

5 Q. That's Form Order Commitment?

6 A. Yes.

7 MR. SPRINGER: F-O-C.

8 Q. (By Mr. Springer) Did Mr. Pilat suggest  
9 how you might familiarize yourself with SOPS?

10 A. I made every effort to familiarize myself  
11 with it.

12 Q. Did he tell you ways that you could?

13 A. Yes, he did.

14 Q. And what did he suggest?

15 A. He suggests that I, again, sit down with  
16 other team leaders.

17 Q. And did you?

18 A. Yes, I did.

19 Q. Which ones?

20 A. I sat down with Patrick Padulski and  
21 Susan Rober.

22 Q. Okay. And for what purpose did you sit  
23 down with them?

24 A. For a general understanding of the SOP

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1 process -- typing of service order itself.

2 Q. Okay. In other words, the work that your  
3 techs did?

4 A. That's correct.

5 Q. Okay. And how much did you sit with  
6 Patrick Padulski?

7 A. I sat with him probably about three or  
8 four days to familiarize myself, and -- but I also  
9 went to Mr. Pilat and I told him that Patrick was  
10 basically holding back information from me and I  
11 made that complaint to Mr. Pilat.

12 Q. Okay. What information was he holding  
13 back?

14 A. Just various -- again, nobody was really  
15 that proficient as far as the service orders up  
16 there. I had gone and I sat with --

17 MR. FRAGOMENI: Answer his question.

18 THE WITNESS: Would you repeat the  
19 question, please.

20 MR. SPRINGER: Why don't we just --

21 Q. (By Mr. Springer) You said nobody was  
22 that proficient with service orders and you sat with  
23 -- and you were about to describe something?

24 A. I forget now.

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1 Q. Okay. Well, Mr. Robinson, you sat with  
2 Patrick Padulski three or four days. Do you  
3 remember when that was, early in your time at the  
4 NMC?

5 A. I would say so, yes.

6 Q. Somewhere in the first few months?

7 A. I would say so, yes.

8 Q. Okay. And that was to get a general  
9 understanding of forms and how to fill them out; is  
10 that correct?

11 A. Basically to see what the input was, yes.

12 Q. Okay. And you thought he was holding  
13 back some information; is that correct?

14 A. Actually yes.

15 Q. And what information did you think he was  
16 holding back?

17 A. I don't recall specifically right now.

18 Q. Okay. Did you go to Mr. Pilat about  
19 that?

20 A. Yes, I did.

21 Q. Do you remember the conversation with  
22 Mr. Pilat?

23 A. I said Do you want me to go and talk to  
24 him -- you know, Mr. Padulski or do you want to go?

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1 And he said he would.

2 Q. Okay. Do you know if they had a  
3 conversation?

4 A. I don't know.

5 Q. Okay. Did you go back to Mr. Padulski  
6 and get -- and sit with him further to get further  
7 understanding --

8 A. No, I never did.

9 Q. -- of SOPS? Why not?

10 A. Because what did was -- and I would sit  
11 down and basically under the guise of quality, sit  
12 with my direct subordinates who were doing the work  
13 and I learned from them.

14 Q. Okay. You said you also sat from --

15 A. To have an understanding of it.

16 Q. You also sat with Susan Rober; is that  
17 correct?

18 A. That's correct.

19 Q. And how many days did you sit with her?

20 A. I can't recall.

21 Q. Also around the same time you sat with  
22 Patrick Padulski?

23 A. No, over the course of my time there.

24 Q. Okay. And then you said you sat with



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1 your subordinates --

2 A. That's correct.

3 Q. -- under the guise of quality so that you  
4 would learn how to deal with SOPs; is that correct?

5 A. To have a better understanding of it,  
6 yes.

7 Q. Okay. And how much -- was -- would it be  
8 proper to call this shadowing?

9 MR. FRAGOMENI: Objection.

10 THE WITNESS: I don't use that term.

11 MR. SPRINGER: Okay.

12 Q. (By Mr. Springer) And did Mr. Pilat  
13 suggest that you shadow the techs?

14 A. I never heard that from him.

15 Q. Okay. Did he suggest that you sit with  
16 the techs and learn from them because they knew --  
17 because they had received training?

18 A. I don't believe that he ever said for me  
19 to sit with a tech.

20 Q. Okay. So other than having you -- what  
21 did he suggest that you do to familiarize yourself  
22 with SOPs other than sit with other team leaders?

23 A. Mr. Pilat said that I specifically did  
24 not have to know how to write a service order.

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1 Q. When id he say that?

2 A. He said that numerous times over the  
3 course of my tenure there.

4 Q. And who was present when he said that?

5 A. It was in the middle of the floor,  
6 whether somebody overheard it or not, I don't know.

7 Q. Okay. There were three week courses that  
8 you say were being given on a regular basis?

9 A. That's correct.

10 Q. Okay. And I take it you made only one  
11 request to Mr. Pilat to attend; is that correct?

12 MR. FRAGOMENI: Objection.

13 THE WITNESS: I don't recall that.

14 Q. (By Mr. Springer) Do you recall anything  
15 other than one request?

16 A. I would say no.

17 Q. Okay. What was taught, to your  
18 knowledge, in these courses?

19 A. Specifically how to -- from the ground up  
20 as far as the service order went.

21 Q. Okay. And did you think by sitting with  
22 Padulski and Rober and your subordinate you had  
23 gained a fair general knowledge of SOPS?

24 A. I had an understanding of SOP, yes.

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1 Q. Okay. Did you think it was a good  
2 understanding?

3 A. Let me just clarify as far as, you know,  
4 sitting down with Padulski and Rober --

5 This was not in a situation where I just  
6 went into a room with them. This was people lined  
7 outside the cubicles, you know, asking them  
8 questions, okay? So just to clarify what this  
9 training was, okay.

10 Q. And you heard them answer the questions?

11 A. That's correct.

12 Q. Okay. And they would -- they would use a  
13 variety of techniques to answer those questions,  
14 wouldn't they?

15 A. If they could answer them, yes.

16 Q. Okay. And you got to observe all of  
17 that?

18 A. Yes.

19 Q. Did they ever use a stare and compare  
20 technique?

21 A. I never heard that saying.

22 Q. Do you know what stare and compare is?

23 A. No.

24 MR. FRAGOMENI: Are you saying

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1 S-T-A-I-R or S-T-A-R-E?

2 MR. SPRINGER: S-T-A-R-E.

3 Q. (By Mr. Springer) Never heard that?

4 A. No.

5 Q. Is that -- I'm correct you've never heard  
6 it?

7 A. Absolutely I've never heard that.

8 Q. Any other way in which you sought to  
9 train yourself with regard to SOPS?

10 A. Not really, no.

11 Q. Okay. At any time other than your  
12 request to Mr. Pilat that you receive training, did  
13 you complain to him about your lack of knowledge of  
14 SOPS?

15 A. He knew that I did -- could not write the  
16 service orders like the other -- yes, I did complain  
17 and I complained to this degree:

18 Other team leaders were typing orders all  
19 the time, okay, as opposed to letting their  
20 subordinates do the work, so I had people typing,  
21 you know, up and down aisles, you know, as far as  
22 typing the service orders, the team leaders, so I  
23 felt that I had to be able to type an order in order  
24 to, you know, been on an equal standing with them.

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1 MR. FRAGOMENI: Listen to his  
2 question and answer it.  
3 THE WITNESS: Okay.  
4 Q. (By Mr. Springer) You were about to say  
5 Mr. Padulski -- I'm sorry -- Mr. Pilat knew that you  
6 were not as proficient as other team leaders; is  
7 that correct?  
8 A. He knew that I did not have the  
9 background that the other team --  
10 Q. Okay. How did he know that?  
11 A. Because of the resume that I provided  
12 him.  
13 Q. Okay. Any other training that you  
14 acquired at any point with regard to SOPS?  
15 A. I can't recall any.  
16 Q. Okay. Did you only deal with  
17 Massachusetts SOPS?  
18 A. I can't recall that. I can't recall.  
19 Q. Okay. Do you remember New Jersey and  
20 Pennsylvania coming on line at some point during  
21 your employment?  
22 A. Yes, I do.  
23 Q. Okay. Did you receive any training with  
24 regard to New Jersey and Pennsylvania SOPS?

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1           A.    I cannot recall that.  
2           Q.    Did you ask for any?  
3           A.    I cannot recall that.  
4           Q.    Did your techs receive any?  
5           A.    What I recall -- I don't know.  
6                   MR. SPRINGER: We've gone for a  
7    little more than an hour and a half. Why don't  
8    we take a short break, come back.  
9    We'll try to go to one or so and  
10   then we'll take a forty-five minute lunch  
11   break.  
12                   Off the record.  
13                   (Short break taken.)  
14                   MR. SPRINGER: Back on the record.  
15           Q.    (By Mr. Springer) Mr. Robinson, you had  
16   described a meeting held where you and other team  
17   leaders objected to how Claudia D'Amato and Hank  
18   Pilat said that internal Verizon CLEC'S should be  
19   treated; is that correct?  
20           A.    That's correct.  
21           Q.    Okay. This was a difference of opinion;  
22   is that correct?  
23           A.    Absolutely not.  
24           Q.    What --

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1 MR. FRAGOMENI: Sorry for the noise.

2 THE WITNESS: No, it wasn't.

3 Basically, they were telling -- I  
4 don't recall the specifics, but they were telling  
5 us to do something that was out of the norm to  
6 provide, give Verizon preferential treatment --  
7 and that was the phrase that was used.

8  
9 MR. SPRINGER: Okay.

10 Q. (By Mr. Springer) And but there was  
11 nothing illegal to that, as far as you knew?

12 MR. FRAGOMENI: Objection.

13 THE WITNESS: I don't know the  
14 legalities of this.

15 MR. SPRINGER: Okay.

16 Q. (By Mr. Springer) So you don't -- okay.  
17 You simply don't know whether there was  
18 legalities involved here?

19 A. That's correct.

20 Q. Okay. And you fully described what you  
21 thought the preference was that they were seeking  
22 for internal Verizon CLEC's, mainly to make sure  
23 that their -- if their orders were not sufficient in  
24 some regard that corrections would be made that was

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1 a greater service than was provided to outside  
2 CLEC's like COVAD; is that correct?

3 A. That was one of them, yes.

4 Q. Any other way that --

5 A. I can't recall at this particular time.

6 Q. If you could, sir, tell me as  
7 specifically as you can your duties and  
8 responsibilities as a team leader?

9 A. My -- as a Team Leader where?

10 Q. At -- for NMC.

11 A. Okay, at the NMC.

12 Q. In April -- April 2000.

13 A. It was to ensure that -- naturally  
14 supervise my employees, okay, answer any questions  
15 that they might have and interface with the CLEC's  
16 that were assigned to me and meet the firm order  
17 commitment, FOC.

18 Q. Typically, what were the kinds of  
19 questions your subordinates would have?

20 A. What should I do in this particular  
21 instance', why doesn't this order flow properly --  
22 that type of a question.

23 Q. Okay. Let me ask with regard to SOPS  
24 particularly:



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1 Do you remember any of the particular  
2 questions that would be asked about a SOP?

3 A. Basically, I can give you one example  
4 that -- Russell Loomy: Why didn't -- isn't this  
5 assigning to the proper central office?

6 Q. Okay.

7 A. Okay? And that's basically all I  
8 remember at this particular time.

9 Q. Okay. Would it be fair to say that --  
10 how frequently did that happen that there would be  
11 questions with regard to SOPs?

12 A. Frequently.

13 Q. Several times a day at least?

14 A. Absolutely.

15 Q. Okay. By a number of different techs?

16 A. Yes.

17 Q. And tell me, if you could in our own  
18 words, what the SOP process involved, or what the  
19 SOP system involved?

20 A. The SOP system involved receiving an  
21 order from a CLEC -- again, SOP is Service Order  
22 Provisioning that's company-wide.

23 Q. Right.

24 A. I'm just referring specifically to the

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1 process of the NMC.

2 Basically a request for facilities would  
3 be requested by the CLEC; in turn, an order would be  
4 written if all of the information was correct.

5 Q. And who would the order be written by?

6 A. The order would be written by the -- my  
7 techs, by the service reps, okay?

8 And that's basically -- and they would  
9 type in the order, depending on what was requested  
10 and it would just flow through and assign or not  
11 assign.

12 Q. And when you say assign or not assign, if  
13 the order was done correctly it would assign but if  
14 there was some mistake, it would assign; is that  
15 correct?

16 A. Not necessarily. The order could be --  
17 the NMC could be completely clean, have the order  
18 typed properly, but because off another department  
19 that did not have the inventory built correctly for  
20 the facilities, it would not assign.

21 Q. So there may be an error elsewhere that  
22 would affect that?

23 A. That's correct.

24 Q. So one had to keep on top of what was

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1     happening elsewhere, for instance, if there was a  
2     new central office --

3             A.    No.

4             Q.    -- created?

5             A.    No.

6             Q.    Tell me.

7             A.    That was not the -- that was not the  
8     responsibility of the NMC, as far as I recall.

9             Q.    Okay. And if something would not assign,  
10    I am assuming the tech would try to solve it himself  
11    or herself; is that correct?

12            A.    Yes.

13            Q.    Okay. And then if they could not figure  
14    out why it would not assign, they would then come to  
15    you; is that correct?

16            A.    I was one of the people they would come  
17    to, yes.

18            Q.    Okay. And they would ask you: Look,  
19    this isn't assigning, could you tell me why?

20            A.    In some instances, yes.

21            Q.    What other questions would they ask with  
22    regard to SOPS?

23            A.    I can't recall at this time.

24            Q.    That was the basic question?

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1 A. Basically -- it's not assigning.

2 Q. Yeah. And what -- did you have a  
3 protocol that you went through to determine to try  
4 to help them?

5 A. I would say so, yes.

6 Q. What was your protocol?

7 A. It was basically to look at the order and  
8 to see what our facilities -- what was missing on  
9 that particular order, if there was something  
10 missing.

11 Q. Okay. And if there was nothing missing,  
12 what did you do next?

13 A. Again, it depends on what the situation  
14 was. There were many scenarios.

15 Q. Well, tell me, what was your protocol;  
16 that is, what was the normal procedure you used?

17 A. I can't recall every single thing that I  
18 did, you know.

19 Q. I'm not asking for every single thing.  
20 I'm asking for your normal procedure.

21 A. I would look at the order.

22 Q. Yeah.

23 A. And basically I would turn around and  
24 look to see if the order was written properly. If

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1 the order was written properly and it wasn't  
2 assigning, I would then turn around and let them  
3 know if there was an error on their order or I would  
4 turn around and if it wasn't assigning a facility, I  
5 would call up LFACS, you know, and explain to them  
6 that facilities were not there, plus I had the  
7 ability to look in LFACS and I would know whether  
8 the inventory was built or not.

9 Q. Any other protocol that you used to  
10 determine why things were not -- why SOPS were not  
11 assigning?

12 A. I can't recall anything else.

13 Q. Okay. And said just so I understand the  
14 process -- and correct me if I'm wrong, Mr. Robinson  
15 -- the order comes in from the CLEC, okay? It's  
16 then, in essence, translated into language that  
17 Engineering will understand, is it not, by the tech?

18 A. Not -- again not into engineering, no.

19 Q. Okay. Well, tell me what the service rep  
20 or tech does on the SOP, the form --

21 A. They would.

22 Q. -- so that it assigns?

23 A. They would validate all the information  
24 that was on the request from the CLEC. If all of

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1 the information on that form was correct, they would  
2 then write a service order.

3 If the information was not correct, they  
4 would send that back to the CLEC and explain to them  
5 what they had to provide back to us in order for the  
6 order to flow.

7 Q. To be correct?

8 A. That's correct.

9 Q. In other words, the CLEC may have been  
10 making a demand that you technically couldn't  
11 fulfill; is that correct?

12 A. In some instances, correct.

13 Q. What other things would a CLEC be doing  
14 that you couldn't fulfill in an order?

15 A. They would omit the type of service that w  
16 required.

17 Q. So there would be some missing  
18 information?

19 A. That's correct.

20 Q. Okay. So then after the service rep  
21 fills out the SOP, okay, to whom does it go, other  
22 than Engineering -- it goes to Engineering, doesn't  
23 it?

24 A. It goes downstream.

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1 A. I don't remember at this point.

2 Q. Do you remember there being a seventy-two  
3 hour time requirement, as well, with regard to the  
4 process?

5 A. I do remember that number.

6 Q. And do you remember what that requirement  
7 involved; in other words, what needed to get done  
8 within seventy-two hours?

9 A. I forget. I don't recall at this  
10 particular time.

11 Q. Okay. When you basically looked over the  
12 shoulders of your techs under the guise of quality  
13 to learn more about SOPs, nobody told you you were  
14 spending too much time with your techs, did they?

15 A. Not that I recall, no.

16 Q. All right. You could spend as much time  
17 as you wanted at learning from them, couldn't you?

18 A. Not really because I had other  
19 assignments.

20 Q. Okay. Well, it was a matter of  
21 priorities, wasn't it?

22 A. Well, again, I sat with them; that was  
23 it.

24 Q. How much did you sit with them though?

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1 A. I sat with them long enough basically to  
2 understand what was going on.

3 Q. So you felt you had sufficient  
4 knowledge --

5 MR. FRAGOMENI: Objection.

6 Q. (By Mr. Springer) -- to be able --

7 A. To understand the process.

8 Q. And to provide them guidance, isn't that  
9 so?

10 A. In most instances yes.

11 Q. I am -- we had talked about Ruth Linda  
12 Rober before, Do you remember that?

13 A. Yes.

14 Q. And when did you begin your friendship  
15 with her?

16 A. I don't recall.

17 Q. Do you recall the year?

18 A. No, I don't.

19 Q. Do you recall how it started?

20 A. No, I don't.

21 Q. Did you have an e-mail correspondence  
22 with her?

23 A. Yes, I did.

24 Q. And when did that start?



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1 form.

2 THE WITNESS: I believe that I was  
3 discriminated against by Verizon by the  
4 questioning of Mr. Pilat about my age.

5 MR. SPRINGER: Okay.

6 Q. (By Mr. Springer) And that was before  
7 your termination?

8 A. That's correct.

9 Q. Okay. And all I want to know now -- and  
10 we're back to those questions, all I want to know  
11 now is:

12 Is there any action that Verizon took  
13 other than laying you off?

14 A. Nothing that I can recall at this minute.

15 Q. Okay.

16 MR. SPRINGER: (Hanging.)

17 (C. Robinson Exhibit No. 5, Single Page  
18 Cartoon, marked for identification.)

19 Q. (By Mr. Springer) Can you identify this?

20 A. Yes.

21 Q. What is it?

22 A. This is a cartoon that was handed to me  
23 by Mr. Pilat and Ms. D'Amato while I was sitting in  
24 my cubicle.

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1 Q. And were the names written in when it was  
2 handed to you?

3 A. Absolutely.

4 Q. Okay. And it was handed by both of them  
5 to you?

6 A. That was handed to me by Mr. Pilat and  
7 Claudia D'Amato was standing right there with him.

8 Q. Was there anyone else there?

9 A. I believe -- I don't recall anybody  
10 else. I remember those two specifically.

11 Q. Okay. And do you remember when this  
12 occurred?

13 A. I don't recall that specifically.

14 Q. I notice a fax line on the top that is  
15 August 13th, 2000. Is that approximately when this  
16 occurred?

17 A. It -- probably.

18 Q. Okay. Now, did you think that you're  
19 being handed this had anything whatsoever to do with  
20 your age?

21 A. Yes.

22 Q. Why?

23 A. Because if you notice, Charlie is marked  
24 as the unicorn.

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1 Q. Yes.

2 A. Okay. And one way to view this is a --  
3 an animal that's extinct or animal that's basically  
4 a fantasy figure, but again, where the other animals  
5 are real, this one here is -- no longer exists.

6 Q. And other than what you've just said, is  
7 there any other reason to believe this was handed to  
8 you because of your age?

9 A. Again, because of statements that had  
10 been made to me by Mr. Pilat, you know, previous,  
11 you know, about how I was old enough and I'd retire  
12 and, you know, and things like that.

13 Q. We will get to those statements in a  
14 minute.

15 Was anything said to you by Mr. Pilat or  
16 Ms. D'Amato when this was handed to you?

17 A. Not that I recall, no.

18 Q. Okay. And what did you do with this  
19 cartoon afterwards?

20 A. I had this in my cubicle.

21 Q. Did you put it up on your wall?

22 A. I has it -- yes.

23 Q. Why did you put it up on your wall?

24 A. So I wouldn't lose it.

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1 Q. Okay. Did you make copies for others?

2 A. No.

3 Q. Did you show this to others?

4 A. No.

5 Q. Did you make an enlargement of it?

6 A. No.

7 Q. Did you talk to it -- I'm sorry.

8 Did you talk with others about it?

9 A. Again, just one brief conversation.

10 Q. With whom?

11 A. Susan Rober.

12 Q. And when was that conversation?

13 A. Again, I don't know who I was talking to  
14 but she overheard me talk about the cartoon and I  
15 just basically remember the gist of it saying:  
16 Well, what would you think? How would you feel if  
17 this was given to you? And that ended the  
18 conversation.

19 Q. She said that or you said that?

20 A. What part?

21 Q. How would you feel if this was given to  
22 you?

23 A. I said that.

24 Q. And did she have a response?

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1 A. She just walked away.

2 Q. Okay. Were you having troubles with the  
3 other team leaders at this point?

4 A. I would say no.

5 Q. Why would you voted off the island, to  
6 your knowledge?

7 A. Mister -- I have no clue.

8 Q. This was around the time, I take it, that  
9 the Survivor show was popular on TV?

10 MR. FRAGOMENI: Objection.

11 If you know.

12 THE WITNESS: I can't recall.

13 MR. SPRINGER: Okay.

14 Q. (By Mr. Springer) Describe to me each of  
15 these people in this exhibit -- which is Exhibit 5,  
16 I believe -- are named and it is Patrick -- Patrick  
17 who -- who is that?

18 A. That would be Patrick Padulski.

19 Q. He was a Team Leader?

20 A. That's correct.

21 Q. Lou -- who is that?

22 A. He was another Team Leader.

23 Q. Okay. Sue -- who is that?

24 A. Another Team Leader.

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1 Q. Is that Sue Rober?  
2 A. Yes.  
3 Q. And Lou Leone, is that him?  
4 A. I guess, I mean --  
5 Q. Was there another --  
6 A. No, he was a Team Leader there, Lou  
7 Leone, yes.  
8 Q. Okay. And Hank is the lion?  
9 A. That's correct.  
10 Q. And I take it the only Hank was Hank  
11 Pilat?  
12 A. Correct.  
13 Q. Who was Brenda?  
14 A. She was another Team Lead.  
15 Q. Claudia?  
16 A. Another Team Lead.  
17 Q. Well, wasn't it --  
18 A. No, Claudia was an AOM, sorry, an AOM.  
19 Q. Lisa?  
20 A. She was a Team Lead.  
21 Q. And Jean?  
22 A. She was a Team Lead.  
23 Q. And is that Lisa Smith?  
24 A. That's correct.

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1 Q. And Jean, what was Jean's last name?

2 A. Freeman.

3 Q. Okay. So these were all team leads  
4 except Claudia and Hank who were supervisors or Team  
5 Leads?

6 A. That's correct.

7 Q. Is Brenda older than you?

8 A. I don't know.

9 Q. Okay. And just again, other than posting  
10 it on your cubicle wall, did you color it in?

11 A. Never.

12 Q. Did you do anything with it other than  
13 posting it on your cubicle wall?

14 A. I never did anything with this other than  
15 post it on the cubicle wall.

16 Q. How long did you keep it up there?

17 A. I never took it down.

18 Q. Okay. Did you think it was funny?

19 A. No.

20 Q. Do you know whose handwriting this is?

21 A. I believe this is Mr. Pilat's  
22 handwriting.

23 Q. That's your speculation isn't it?

24 MR. FRAGOMENI: Objection.

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1 THE WITNESS: I have a -- I have  
2 documents that he has signed that I believe this  
3 is his, and by --  
4 Q. (By Mr. Springer) And you -- sorry, go  
5 ahead?  
6 A. I believe this is his handwriting.  
7 Q. Because you've done a comparison of  
8 printing --  
9 A. No -- plus the fact he handed it to me.  
10 Q. But you're not a handwriting expert, are  
11 you?  
12 A. No.  
13 Q. Never received any training in that, did  
14 you?  
15 A. No.  
16 Q. And he never said that this was his  
17 handwriting, did he, when he handed it to you?  
18 A. Again -- no, he didn't.  
19 Q. Okay. Now, you say that you were  
20 discriminated against on the basis of your age with  
21 regard to your layoff during the Reduction in Force.  
22 Who in particular discriminated against  
23 you on the basis of your age?  
24 A. Mr. Pilat.



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1 Q. Anyone else?  
2 A. I'd have to say Claudia was involved.  
3 Q. Why would you have to say Claudia was  
4 involved?  
5 A. She made the decision with him.  
6 Q. Okay. What information do you have to  
7 suggest it was age discrimination?  
8 A. I've provided everything to my attorney.  
9 Q. Well, I am asking --  
10 MR. FRAGOMENI: He is asking you a  
11 question --  
12 THE WITNESS: Oh.  
13 MR. FRAGOMENI: -- about your  
14 understanding.  
15 THE WITNESS: My understanding?  
16 MR. SPRINGER: Yeah.  
17 Q. (By Mr. Springer) What information do  
18 you have that suggests that you were discriminated  
19 against on the basis of your age?  
20 A. Comments that were made to me by  
21 Mr. Pilat, an attempt to reduce my responsibilities  
22 and this cartoon.  
23 Q. Anything else?  
24 A. Not that I can recall now.

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1 Q. Okay. With regard to comments, can you  
2 tell me every comment you believe indicates that  
3 your layoff was a result of your age?

4 A. Again, any time that he asked me,  
5 Mr. Pilat -- and again, he didn't ask me, he was  
6 basically making a statement, and again, he would  
7 say You're old enough, you would retire if an offer  
8 was made.

9 This started from the first time that I  
10 -- you know, went up to the NMC, and it wasn't just  
11 in conversation.

12 Q. When you say it wasn't just in  
13 conversation, what do you mean?

14 A. I didn't have that feeling because it was  
15 said to me numerous times over the first couple  
16 months, two or three months that I was there, in  
17 fact, so much so that I told him to stop that type  
18 of questioning of me because I had seen that type of  
19 questioning in the past.

20 I did not want to be identified as a  
21 possible retiree.

22 Q. Where had you seen that kind of  
23 questioning before?

24 A. I had gone through RIF's before.

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1 Q. And so you're saying that in the past,  
2 people asked you whether you wanted to retire?

3 A. No. I saw older coworkers being asked  
4 that question.

5 Q. Whether they wanted to voluntarily leave  
6 the company?

7 A. No.

8 Q. Whether they wanted to retire?

9 A. Not that question, but basically -- yes  
10 on that idea, yes. They would -- yes.

11 Q. Well, tell me if you remember any of the  
12 specifics of what this prior questioning involved;  
13 in other words, can you remember any occasion where  
14 that occurred and who was involved?

15 A. Again, I can just remember back years and  
16 with the first RIF and I remember again it wasn't a  
17 voluntary thing. It was basically people that were  
18 the oldest workers there that were the ones that  
19 were let go.

20 Q. When you say the first RIF, what time  
21 were you talking about?

22 A. That goes back probably fifteen years.

23 Q. Okay. Do you remember any specifics at  
24 any time with regard to what was said and by whom

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1 concerning this prior questioning about retirement?

2 A. I don't really recall anything else.

3 Q. So you don't recall any -- any names?

4 A. Oh, who, of people that I just provided.

5 Q. Yeah, of people who were -- who did the  
6 questioning, do you have any memory of any names of  
7 the people who did the questioning?

8 A. I don't recall, no.

9 Q. Okay. And do you have any names of any  
10 of the persons who were questioned?

11 A. I would say, again, I know people that  
12 were --

13 MR. FRAGOMENI: Give him the names.

14 THE WITNESS: Thomas Kennedy and Al  
15 Spagnoli.

16 Q. (By Mr. Springer) And when was that?

17 A. Years ago, I don't know exactly when.

18 Q. Okay. And do you know what specifically  
19 was asked of them?

20 A. No, I don't.

21 Q. And do you know -- and you don't know who  
22 asked it of them?

23 A. No.

24 Q. Okay. And do you know whether this was

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1 an involuntary or voluntary layoff they were  
2 involved in -- or both?

3 A. It was an involuntary layoff.

4 Q. Okay. And when you say fifteen years ago  
5 that -- that's the first layoff that you remember,  
6 about fifteen years ago?

7 A. Again, I don't know specifically the time  
8 frame; it could have been ten years ago.

9 Q. Okay. And do you know everyone who was  
10 laid off in that layoff?

11 A. In my particular area that I was involved  
12 with, you know, my general circle of people, no --  
13 the -- those are two names that I've provided you.

14 Q. Okay. And I'm asking -- so you don't  
15 know everybody?

16 A. I don't know every single person, no.

17 Q. Do you know how many people were laid off  
18 in that layoff?

19 A. No, I don't.

20 Q. Okay. And just so I'm clear:

21 What do you remember being said to  
22 Mr. Kennedy and Mr. Spagnoli that you over --

23 Did you overhear this or did they tell  
24 you?

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1           A.    They basically told me that, you know,  
2   and again, I just -- it's again --

3                   MR. FRAGOMENI:  Answer his question,  
4   please.

5                   THE WITNESS:  I over -- I didn't  
6   overhear it.  I was told this.

7           Q.    (By Mr. Springer)  What did they tell  
8   you?

9           A.    That they were basically being asked to  
10   retire.

11          Q.    Do you remember -- know if a question was  
12   asked of them?

13          A.    I don't know specifically, no.

14          Q.    Do you know if they were asked whether  
15   they wanted to retire?

16          A.    I don't know specifically, no.

17          Q.    Okay.  So you don't know what was said to  
18   them at all --

19          A.    That's correct.

20          Q.    -- at all; is that correct?

21                   MR. FRAGOMENI:  Objection.

22                   THE WITNESS:  I don't recall the  
23   specifics of the conversation, no.

24          Q.    (By Mr. Springer)  Now, you say Mr. Pilat

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1 asked you questions just about as soon as you got  
2 there; is that correct?

3 A. That's correct.

4 Q. And what were the questions that he asked  
5 you?

6 A. He would say to me, you know, you're old  
7 enough, if an offer was made, you would take it,  
8 wouldn't you -- and basically identifying me as that  
9 type of a person.

10 Q. And was -- did this just come out of the  
11 blue?

12 A. I believe so, yes.

13 Q. Do you remember any context for it?

14 A. I remember this context that he wasn't  
15 happy with his job, okay, so he would ask me that,  
16 like I'd be crazy not to take something.

17 Q. So -- just so I'm clear, you think it may  
18 have been in the context of a discussion of job  
19 dissatisfaction and him saying if I had an  
20 opportunity, I'd take it and --

21 A. It wasn't that benign.

22 Q. Well, I'm trying to find out what the  
23 context was, Mr. Robinson?

24 A. I don't know a lot of specific context,

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1 but all I know is that what said to me. I did not  
2 have a good feeling about it because it was said  
3 more than once on numerous occasions.

4 Q. Well, let's try to remember the first  
5 occasion. Do you remember the first occasion that  
6 it occurred; how soon after you got to NMC in April  
7 of 2000?

8 A. I would say within the first month or so.

9 Q. Okay. And was it in his cubicle or  
10 office?

11 A. Yes.

12 Q. Okay. And were you the only two there?

13 A. Yes.

14 Q. And Do you remember what he said to you  
15 that you didn't think was benign?

16 A. Again You're old enough, you would retire  
17 if an offer was made.

18 Q. Okay. And was this in the context of any  
19 discussion? Was it about job dissatisfaction?

20 A. I know he was dissatisfied with his job.

21 Q. Okay. Now, I'm trying to see if there's  
22 any context in which it was made.

23 Did you raise the issue of retirement  
24 with him?



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1 A. Never.

2 Q. Did you ever discuss that -- did you ever  
3 say to anyone at NMC, you know, I just want to be  
4 here three more years?

5 A. I don't remember that, absolutely not.

6 Q. Okay. Did you ever say to anyone how  
7 much longer you wanted to stay at NMC?

8 A. I don't recall that at all.

9 Q. Did you say that to Mr. Pilat?

10 A. I don't recall that at all.

11 Q. Did you ever have a discussion with him  
12 when you came on board in that -- in your interview  
13 when he made you an offer or shortly thereafter made  
14 you an offer about how long you would stay there?

15 A. I told him I was there for the duration.

16 Q. Duration of what?

17 A. Whatever my working career was going to  
18 be.

19 Q. Okay. Did you ever have a discussion at  
20 that point that you wanted to be there about three  
21 more years anyway?

22 A. I never remember saying that, no.

23 Q. Do you remember discussing with anyone  
24 that you were dissatisfied with your job?

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1 A. I never said that.

2 Q. Okay. Did you discuss -- okay.

3 Other than your remembering Mr. Pilat  
4 within a month of you getting there saying that you,  
5 you know, you would retire if an offer were made,  
6 wouldn't you -- and did he say anything about your  
7 age at that point that you're old enough to retire?

8 A. Basically, yes.

9 Q. What did he say?

10 A. You're old enough, you would retire.

11 Q. Was it true that if you got a good enough  
12 package you would retire?

13 A. I was very happy with my job.

14 Q. Okay. Were there discussions of packages  
15 at the time?

16 A. I don't recall that at all.

17 Q. Were there packages around at that time?

18 A. I don't know.

19 Q. There were always packages at Verizon,  
20 weren't there, around then?

21 A. I don't recall it at all.

22 Q. Okay. Do you remember any discussion of  
23 any upcoming package with anyone or whether a  
24 package would be coming up with anyone?

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1 A. Absolutely not.

2 Q. Okay. Do you have any understanding of  
3 why Mr. Pilat would say this to you in his office a  
4 month after you had come on board?

5 A. I have no idea.

6 Q. Do you remember any context in which it  
7 was said, other than perhaps a discussion of job  
8 dissatisfaction?

9 A. I don't recall right now.

10 Q. Okay. Mr. Pilat said he wasn't that  
11 happy in his job to you at some point?

12 A. I believe so yes.

13 Q. Yeah. Pretty early on?

14 A. Yes.

15 Q. It might have been this same  
16 conversation?

17 A. I don't know that.

18 Q. Okay. You just don't remember?

19 A. That's correct.

20 Q. Now, you said he said it again at some  
21 point -- or something similar?

22 A. Again --

23 Q. Did he use the exact same words?

24 A. Yes.

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1 Q. Okay. And what were those words?

2 A. Basically you're old enough to retire you  
3 know -- you know, that was it.

4 Q. Okay. And when's the next time he said  
5 that?

6 A. I don't know.

7 Q. Six months later?

8 A. I have no idea.

9 Q. A year later?

10 A. I have no idea.

11 Q. How often -- so your statement is that he  
12 said it at least twice that you remember?

13 A. I would say more than twice.

14 Q. Well, when did --

15 MR. FRAGOMENI: You've got to tell  
16 him when.

17 THE WITNESS: Okay. I don't know  
18 specifically. I would say it happened from the  
19 time I got up there until the strike began, that's  
20 what I would say.

21 It happened numerous times. I  
22 don't know the specific dates, but it happened  
23 numerous times from the time that I got there  
24 until the strike began.

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1 MR. SPRINGER: Okay.

2 Q. (By Mr. Springer) And the strike began

3 in August of 2000; is that correct?

4 A. I believe so, yes.

5 Q. Okay. So you're saying within a month,

6 so from May through August, it happened numerous

7 times. How often?

8 A. It was often enough that I said to him I

9 wanted him to knock it off.

10 Q. Okay. Well, how often did it occur, how

11 many times?

12 A. I'd say at least three times.

13 Q. Okay. Did it happen after August of

14 2000?

15 A. It didn't happen after I told him to

16 knock it off.

17 Q. Okay. So do you have any -- now that

18 you've said it happened three times, do you have any

19 memory of when it occurred the second time?

20 A. No, I don't.

21 Q. And do you have any memory of the context

22 in which it occurred, what you guys were discussing?

23 A. No, I don't.

24 Q. Was there anybody present?

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1 A. Not to my knowledge.

2 Q. Where did it occur -- where he made this  
3 remark about you'd retire?

4 A. I don't recall every -- you know --  
5 instance where it occurred.

6 Q. Okay. I'm not asking every, I'm asking  
7 where it occurred the second time if you remember?

8 A. I don't know.

9 Q. Was it in his office?

10 A. I don't know.

11 Q. Okay. And do you remember any other  
12 conversations surrounding it?

13 A. No, I don't.

14 Q. Did you take any notes?

15 A. No, I didn't.

16 Q. Okay. So then it occurred a third time,  
17 is that correct, before August?

18 A. I would say so, yes.

19 Q. Okay. Do you have any memory of anything  
20 other than the words he used?

21 A. No.

22 Q. Do you have any memory of the  
23 conversation whatsoever beyond that remark that you  
24 claim is age-related?

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1 A. No, I don't.

2 Q. Okay. Now, what did -- at that point you  
3 said you -- you told him to knock it off; is that  
4 correct?

5 A. That's correct.

6 Q. What did you say to him?

7 A. I said to him I've seen this type of  
8 action, line of questioning before in the past and I  
9 didn't like it.

10 Q. Okay. So these were questions he was  
11 asking you?

12 A. Well, you know, again, it wasn't  
13 questions me, it wasn't a sit-down with me to find  
14 out what my goals were. It was a statement.

15 Q. Well, wasn't it a question of whether  
16 you'd accept the package if it were offered to you?

17 A. But again, I don't believe that it was  
18 said in that way, that manner, you know.

19 Q. Well, weren't the words you'd accept an  
20 offer if it were made to you?

21 A. You're old enough, you would accept an  
22 offer if it was made to you. Again, it wasn't -- it  
23 was a -- it wasn't a question, to me it was more of  
24 a declarative statement even though it may seem that

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1 believe that your being given the cartoon was age-  
2 related?

3 A. Could you repeat that again?

4 Q. Sure. Can you -- do you have -- other  
5 than what you've testified a few minutes ago, have  
6 you given me -- let me rephrase that. I'll withdraw  
7 it.

8 Have you given me every reason that you  
9 believe the cartoon was age-related.

10 You told me everything?

11 A. Yes.

12 Q. Okay. Now, you said one of the reasons  
13 you believe the decision to lay you off in the RIF  
14 was age-related was that prior to that time, there  
15 was an attempt to reduce your responsibilities; is  
16 that correct?

17 A. That's correct.

18 Q. And can you tell me what happened?

19 A. Yes.

20 Q. Mr. Pilat requested that I go into his  
21 office and he informed me that a contract dispatcher  
22 was going to be released from the payroll and that  
23 if I would mind taking over her responsibilities and  
24 I said absolutely not, but the caveat was that he



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1 was going to take away my reporting people, so I  
2 agreed with him at that meeting, you know, okay,  
3 fine.

4 Then when I went home that night --

5 MR. FRAGOMENI: Did you say  
6 absolutely not that you would -- would not  
7 accept it or accept it.

8 THE WITNESS: No, I thought -- no.

9 MR. SPRINGER: I'm sorry.

10 MR. FRAGOMENI: I'm sorry, but I'm  
11 confused.

12 THE WITNESS: No, that I absolutely  
13 would accept it; you know, I would do anything  
14 anything that they wanted there. I would  
15 absolutely accept it, you know, that job.

16 And then what happened was the  
17 caveat was that he was going to take away my  
18 reporting people, this is what he told me, so I  
19 went home that night and again, I realized that  
20 reporting people are power and if they were  
21 getting rid of this person --

22 You know, dispatching -- I

23 believe that this was an attempt by him to reduce  
24 my responsibilities so that I would be the

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1 logical person to get rid of if anybody  
2 was going to be released.

3 Q. (By Mr. Springer) And then did you  
4 object to --

5 A. I did.

6 Q. When you came back in the morning?

7 A. That -- absolutely.

8 Q. And what happened as a result of your  
9 objection?

10 A. He said we'll discuss it, you know -- you  
11 know, in a few weeks, but his intent was to take  
12 away my reporting people.

13 Q. Why do you say that?

14 A. Because he told me.

15 Q. Okay. And when did this occur?

16 A. I don't have the specifics, but -- I  
17 don't have the specific time frame, but it was  
18 probably -- I don't know. I don't know the  
19 specifics. Mr. Pilat would know that.

20 Q. Okay. Mr. Robinson, is it possible you  
21 misunderstood Mr. Pilat?

22 A. Absolutely not.

23 Q. Wasn't he basically saying this would be  
24 in addition to your other duties?

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1 A. No.

2 Q. Well, wasn't it at the time that the  
3 staff at NMC was being severely reduced?

4 A. The staff at NMC -- I don't recall that,  
5 I don't know.

6 Q. Well, these -- the duties of assigning  
7 people tasks that this contractor had, that wasn't  
8 very difficult, was it?

9 A. It was -- you needed to turn around and  
10 be able to juggle the work to dispatch the work to  
11 all the techs properly, yes.

12 Q. Well, if you were -- yeah, you needed to  
13 juggle if you were also taking care of your Team  
14 Leader responsibilities; is that correct?

15 A. No, even a dispatcher you had to know  
16 what orders were out and what people needed orders.

17 Q. Well, ultimately you did both jobs,  
18 didn't you?

19 A. That's correct.

20 Q. And you were able to do both of them?

21 A. That's correct.

22 Q. And you did them well?

23 A. That's correct.

24 Q. And you thought it was a no-brainer,

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1 didn't you, to do the dispatching job?

2 MR. FRAGOMENI: Objection.

3 THE WITNESS: I don't remember ever  
4 saying that.

5 Q. (By Mr. Springer) Well, you thought it  
6 was going to be pretty easy, didn't you?

7 MR. FRAGOMENI: Objection.

8 THE WITNESS: I don't remember that  
9 it was going to be pretty easy.

10 MR. SPRINGER: Okay.

11 Q. (By Mr. Springer) No-brainer means  
12 pretty easy, doesn't it?

13 MR. FRAGOMENI: Objection.

14 Q. (By Mr. Springer) -- to you?

15 A. Yes.

16 MR. SPRINGER: Now, it's just about  
17 one. Why don't we try to get back at 1:30 and  
18 I'll try to proceed as --

19 MR. FRAGOMENI: Okay.

20 MR. SPRINGER: -- rapidly as I can.

21 MR. FRAGOMENI: Thank you.

22 (Lunch break taken.)

23 MR. SPRINGER: Back on the record.

24 (C. Robinson Exhibit No. 6, 2-Page

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1 Document, marked for identification.)

2 Q. (By Mr. Springer) Mr. Robinson, I'm  
3 showing you a series of e-mails that have been  
4 produced to you previously and these appear to be a  
5 series of e-mails between you and Hank Pilat; is  
6 that correct?

7 A. Yes.

8 Q. Okay. Why don't we look at the first one  
9 in time, and this relates to the work assignment  
10 that was being offered to you ultimately in addition  
11 to your duties as a Team Leader, and this is sent by  
12 you to Mr. Pilat, is it not, on 6/7/2001 at  
13 9:01 a.m.; is that correct?

14 A. Yes.

15 Q. Okay. Now, this occurred after -- this  
16 e-mail that you sent occurred after the conversation  
17 where you were offered the position of assignment --  
18 well, the duties of assignment of work; is that  
19 correct?

20 A. That's correct.

21 Q. And at this point when you are writing  
22 this e-mail, is it your understanding that the  
23 assignment of work duties are separate from your  
24 Team Leader responsibilities?

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1 A. Absolutely not.

2 Q. Okay. Just so I'm clear: So when you're  
3 writing that, you're thinking of taking this on as  
4 an additional?

5 A. What happened -- we're starting right  
6 here, right at 6/7 9:01 when I sent him this  
7 note? --

8 Q. Yeah.

9 A. -- we had a conversation in his office  
10 the day prior.

11 Q. Yeah.

12 A. Okay? And again I wrote this:

13 I had been thinking I have no problem  
14 taking the position of assignment of work; however,  
15 I do not like the feeling that I may be being pushed  
16 aside, and that is in direct reference to the fact  
17 that he had told me that he was going to take away  
18 my reporting people.

19 There's no doubt in my mind that's what  
20 occurred.

21 Q. Then it says here:

22 To me, the job of assigning is a  
23 no-brainer.

24 That's your words, right?

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1 A. Fine, that's my -- yes, my e-mail, fine.

2 Q. And by that, you meant not a particularly  
3 difficult thing to do; is that correct?

4 A. That is correct.

5 Q. Okay. Then it says:

6 If I need to be trained in service orders  
7 to become of value to this organization, then that  
8 is what I want.

9 Had you had a discussion with Mr. Pilat  
10 about being -- well, about difficulties that you had  
11 with service orders?

12 A. That, absolutely not. What -- it wasn't  
13 difficulties with service orders, it was that I was  
14 not trained in the service orders because the other  
15 Team Leaders were typing service orders.

16 Q. Well, just so I'm clear:

17 Why did the issue of service orders come  
18 up in this e-mail? Was there a conversation you had  
19 with Mr. Pilat about service orders the previous  
20 day?

21 A. Again, I had conversations numerous times  
22 with Mr. Pilat about service orders, being trained  
23 and numerous times he told me that it didn't make  
24 any difference.

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1           The context of this is for the fact that  
2       I had Team Leaders all around me that were not just  
3       typing one order, they were doing blocks of orders  
4       and that's what the context of this e-mail is.

5           Q.    I am wondering why it appears in this  
6       e-mail about assignment of work. Was there a  
7       comment made to you by Mr. Pilat the previous day  
8       with regard to service orders?

9           A.    He -- no. He never told me that I had to  
10      be trained in service orders, never.

11          Q.    Okay.

12          A.    That was my -- my note to him.

13          Q.    Mr. Robinson, a couple of moments ago you  
14      said that you had had numerous conversations with  
15      Mr. Pilat about wanting to be trained in service  
16      orders. I thought there was only one conversation  
17      early on in your employment in NMC where you had  
18      such a conversations. Are you now telling me you  
19      had numerous conversations with him about being  
20      trained?

21          A.    I would say that I had more than one,  
22      yes.

23          Q.    Well, tell me -- you've described one.  
24      What was the other conversation that you had with --



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1           A.    Preferential treatment is preferential  
2   treatment.

3           Q.    But I'm asking: Do you have any  
4   specifics whatsoever?

5           A.    No, I do not. I never saw the complaint;  
6   he never showed it to me.

7           Q.    Okay. Now, your view was that Mr. Pilat  
8   gave some of the younger males the opportunity to  
9   travel to open new NMC's; is that correct?

10          A.    That's correct.

11          Q.    Where?

12          A.    I believe in New York.

13          Q.    Okay. Anywhere else?

14          A.    To the best of my knowledge, that's it.

15          Q.    Who were these?

16          A.    It was Adam Alberti that was given it.

17          Q.    Okay. Anyone else?

18          A.    No.

19          Q.    Okay.

20          A.    To open up an NMC, no.

21          Q.    Okay. And what about the testing of new  
22   types service orders, who was given that assignment?

23          A.    Matt Blais was gives that type of work.

24          Q.    Anyone else?

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1 A. Brian Bird was also -- yes, Brian Bird.

2 Q. Anyone else?

3 A. Those are the only names that I recollect  
4 right now.

5 Q. Okay. And do you know who gave them  
6 these assignments?

7 A. My understanding? Well, Brian Bird  
8 worked for me.

9 Q. I understand. Do you know who gave  
10 him --

11 A. Yeah, Henry Pilat.

12 Q. Are you sure of that?

13 A. I'm ninety-nine percent sure.

14 Q. Okay. Why do you have some doubt?

15 A. Because it's a while ago.

16 Q. Okay. And any other assignments other  
17 than those two that you thought showed?

18 A. That's all I can recall right now.

19 Q. Okay. And other than the preferential  
20 treatment that you claim that Hank Pilat was showing  
21 by these assignments, was there any other basis for  
22 your believing that he didn't want you there as of  
23 when you said I am not ready to retire?

24 A. Yes, because the general feeling I always

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1 had from him, and I stated that before.

2 Q. But I'm asking what the basis was before  
3 you said prior to the?

4 A. Again, because of the fact he would ask  
5 me: You're old enough, you would retire.

6 And again, I use the ask, but I couldn't  
7 think of it before, but it was a rhetorical  
8 question; it was not a declarative statement. I sat  
9 downstairs by myself.

10 Q. What do you mean you sat downstairs?

11 A. Well, in the lobby is what I'm saying; I  
12 was in the lobby and I was just looking out the  
13 window.

14 MR. FRAGOMENI: He's talking about  
15 today.

16 THE WITNESS: Today. Today. Sorry,  
17 today I was just -- you know, sorry.

18 Q. (By Mr. Springer) Is that to tell me  
19 your attorney didn't influence you with regard to  
20 the?

21 A. No.

22 MR. FRAGOMENI: Objection.

23 THE WITNESS: No, not at all.

24 MR. FRAGOMENI: I don't know what he

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1       said.

2                   THE WITNESS: No, not at all.

3                   MR. FRAGOMENI: I'm just trying to  
4       make sure you understand.

5                   THE WITNESS: No. No. No, I was  
6       just sitting there. No. No.

7                   MR. FRAGOMENI: Are you talking  
8       about sitting in the lobby today?

9                   THE WITNESS: I was sit -- in fact,  
10      I saw you walk by, you know.

11                  MR. FRAGOMENI: Who are you saying  
12      you to?

13                  THE WITNESS: The court reporter.

14                  Q.    (By Mr. Springer) Anyway, Mr. Robinson,  
15      those comments that you attribute to Mr. Pilat you  
16      also claim occurred before the August strike, August  
17      2000, so they're a year old and I'm asking you:

18                        Is there anything else that is more  
19      recent that you can claim led you to the feeling  
20      that he wanted to get rid of you?

21                  A.    He was going to take away my reporting  
22      people.

23                  Q.    Okay. Other than that?

24                  A.    And again, just the overall feeling that

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1 I had.

2 Q. Okay. And is there any other basis you  
3 want to tell me for the overall feeling that you  
4 had, any -- any other actions or words by Mr. Pilat  
5 that contributed to that?

6 A. He would basically take my people, when I  
7 had them, without conferring with me and give them  
8 assignments, so I didn't know what was going on.

9 Q. Okay. Didn't he do that with other Team  
10 Leaders as well?

11 A. I don't know. I can only speak for  
12 myself.

13 Q. Okay. Anything else?

14 A. Nope.

15 Q. Okay. Let's go up to the next e-mail  
16 here.

17 I thought you were interested in taking  
18 over the assigning function. Did I miss something  
19 -- and that's -- and then he goes, then you write  
20 to him:

21 I didn't approach you on the assigning  
22 function. I will perform any task in here, I am a  
23 good soldier, but again, I'm stating my concerns.  
24 The assigning function, again, to me is a

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1 no-brainer. Why don't you read my note again and  
2 try to understand my concerns.

3 What are you referring to there?

4 A. What I'm referring to is again, we had a  
5 conversation a prior day, so again, I'm just  
6 reiterating the fact on this again that he was  
7 taking away my reporting people, and I just wanted  
8 him to understand that I didn't like the feeling of  
9 being pushed aside.

10 Q. Okay. At no point in either of these  
11 e-mails does it indicate that he is taking away your  
12 reporting people.

13 I mean you don't say that?

14 A. But let's go up to the next e-mail.

15 Q. Okay. The task of assigning work will be  
16 in addition to your current responsibilities, not in  
17 place of.

18 Isn't --

19 A. Well --

20 Q. Isn't that a clarification for you?  
21 Why was it different at any point?

22 A. Absolutely not, because just as you said  
23 that I did not mention reporting people, now what  
24 he's doing is he's saying in addition to, not in

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1 place of -- that's not true, okay?

2 He was going to take away my reporting  
3 people and this is the conversation that we had and  
4 this is why that's in context there.

5 Q. Did you have a conversation with him  
6 between 6:30 a.m. and 10:14 a.m.?

7 A. No. This was the day prior.

8 Q. Okay. I'm --

9 A. No, I would have been -- I'm sorry.  
10 Prior to 6/7 when I wrote that note is  
11 when I had my conversation with Mr. Pilat.

12 Q. Yeah. You're saying there was no  
13 conversation between 6:30 and 10:14?

14 A. I couldn't swear to that.

15 Q. Well, it does appear, does it not, that  
16 what he's writing to you as a result of a  
17 conversation with you where he's clarifying things  
18 is the second sentence: I'd be -- I by no means  
19 meant to imply that you are to be relieved of any  
20 other duties assigned to you.

21 There is nothing in either of your  
22 e-mails talking about being relieved of any  
23 assignment -- duties assigned you, is there?

24 A. Because our conversation took place prior

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1 to June 7th.

2 Q. And I'm saying isn't there -- wasn't  
3 there a conversation between 6:30 and 10:14 on that  
4 day?

5 MR. FRAGOMENI: He answered  
6 that already. You just asked him the same  
7 question.

8 Q. (By Mr. Springer) Do you remember one?

9 A. I would say absolutely not. This is in  
10 reference to the conversation that I had on June 6th  
11 with him.

12 Q. Okay. But does the e-mail make -- chain  
13 sense then because why would he be responding in  
14 this e-mail to a conversation previously when the  
15 e-mails themselves go in a different direction?

16 A. Because I had stated my concerns to him  
17 in the first e-mail and he finally got a gist of  
18 exactly what I was referring to.

19 Why this big thing here is right. Why  
20 would he even write a thing?

21 Q. Well, that's why I'm saying wasn't the --

22 A. Right.

23 Q. -- isn't your memory faulty here in the  
24 conversations --



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1 A. Absolutely not.

2 Q. -- and the conversation occurred  
3 between --

4 A. Absolutely not.

5 Q. You're so sure of this.

6 A. I'm positive of this.

7 Q. But you're not sure of lots of other  
8 events that occurred at the same time, isn't that  
9 so?

10 A. This -- but I have documentation that I'm  
11 looking at right here.

12 Q. I understand, but there's no  
13 documentation of when that conversation occurred?

14 A. And there's no documentation that says I  
15 talked to him between these two.

16 I'm letting you know right now that the  
17 conversation occurred the day before that I sent  
18 this e-mail.

19 Q. Okay. He says here in the third sentence  
20 in the first paragraph:

21 I only stated that I was not going to  
22 assign you any additional accounts because I was  
23 going to give you the function of assigning work as  
24 well as your other duties?

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1 A. That's a false statement.

2 Q. Now, did you respond to this and say it  
3 was a false statement?

4 A. If you notice what has happened, now he  
5 -- as you say, is not mentioning it because I took  
6 exception with what we had in the conversation on  
7 the 6th.

8 Q. Did you anywhere say that that sentence  
9 was a false statement? Is there an e-mail response  
10 that says that's false?

11 A. There was no need.

12 Q. Why not?

13 A. Because of the fact -- again, like I  
14 said, I had a conversation with him the 6th. Now  
15 all of a sudden -- he was still my boss.

16 Q. Well, you could have said it in a nice  
17 way that's not true, couldn't you have -- even if he  
18 is your boss?

19 A. I didn't believe there was any reason to  
20 say it once this came up.

21 Q. You had no difficulty disagreeing with  
22 him at other times, did you, Mr. Robinson?

23 A. Again when -- disagreement, no.

24 Q. In fact, you frequently disagreed with

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1 him during meetings?

2 A. As -- what are the specifics?

3 Q. I'm asking you: Didn't you frequently  
4 disagree with him.

5 MR. FRAGOMENI: Objection.

6 THE WITNESS: When you say disagree,  
7 did I voice my concerns or -- yes.

8 MR. SPRINGER: Okay.

9 Q. (By Mr. Springer) And disagreed with him  
10 or Claudia, isn't that so?

11 MR. FRAGOMENI: Objection.

12 THE WITNESS: Well, no.

13 Q. (By Mr. Springer) Often when they wanted  
14 to change things, you said you didn't go along with  
15 them?

16 A. To change things --

17 Q. Weren't you resistant to change,  
18 Mr. Robinson?

19 A. Absolutely not.

20 Q. Well, didn't you object to their desire  
21 to change things?

22 MR. FRAGOMENI: Objection.

23 THE WITNESS: What is the specific?

24 Q. (By Mr. Springer) Do you remember any

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1 Q. Okay. After sending that e-mail in June  
2 of 2001, did you do anything to increase your  
3 knowledge of the SOP system?

4 A. Again, I had a working knowledge of SOP.

5 Q. That's not my question.

6 Did you do anything to increase your  
7 knowledge and abilities with SOP?

8 A. In addition to the assignment function  
9 and taking care of my peers, no, I did not.

10 Q. Okay.

11 A. -- I mean taking care of my direct  
12 reports.

13 Q. When people came to ask you for help with  
14 regard to SOPs, did you tell them Pretend I'm not  
15 here?

16 A. Absolutely.

17 Q. Do you do that with some frequency?

18 A. What context do you mean now.

19 Q. How often did you tell them that?

20 A. If I thought they should know the answer,  
21 I said Pretend I'm not here; tell me what you would  
22 do in the situation. They would use -- that's me --  
23 as a learning tool for them because they had all the  
24 training.

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1 Q. Well, weren't they coming to you because  
2 they don't didn't know what the answer was?

3 A. Absolutely not. I tried to jog their  
4 memory and let them see that they could resolve the  
5 problem themselves -- because of the fact we had  
6 lines waiting to ask foolish questions.

7 When I say foolish questions, questions  
8 that they had been trained in, you know, that they  
9 should have known the answer to.

10 Pretend I'm not here -- but I never  
11 turned anybody away. What would you do? That was  
12 the question that I would ask them, and I would have  
13 a dialogue with them.

14 Q. Were you aware that a number of reps were  
15 going to other Team Leader because you were not  
16 answering their questions?

17 A. That -- let me explain it this way: That  
18 a lot of other reps were coming to me also and  
19 asking me questions that other than Team Leads did  
20 not know the answers to.

21 Q. Well, my question is:

22 Were you aware that there were a number  
23 of reps going to other Team Leaders because you  
24 didn't answer their questions?

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1 A. No, I was not.

2 Q. Do you know -- were you aware that when  
3 you said I -- I'm pretend I am not here that people  
4 took that as your not knowing the answer?

5 A. Absolutely not -- because of the fact, if  
6 anything, every service rep or the majority of  
7 service reps in there thought that I was the only  
8 one that ever answered their question or got back to  
9 them with an answer.

10 Their complaints always were that Jeez, I  
11 gave so and so this, Sue this, I gave Patrick this,  
12 they haven't got back to me yet, and they say  
13 Charlie, you always get back to us with an answer.

14 Q. Who were those reps who said you always  
15 get back with an answer?

16 A. I would say that Kathy Sherber again. I  
17 would say that Cassandra Osorio; I would say that  
18 anybody that was on my team and anybody that asked  
19 me a question.

20 Q. Were there any people who were  
21 dissatisfied on your team and, you know, complained  
22 about you not giving answers to questions or not --

23 A. To be --

24 Q. -- being familiar enough with SOPS?

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1           A.    To the best of my knowledge, absolutely  
2   not.

3           Q.    Were you aware that some of your reps  
4   were also going to Hank Pilat and Claudia D'Amato  
5   for answers because you were not answering  
6   questions?

7           A.    It was set up so that basically any rep  
8   could go anywhere.

9           Q.    Okay. But do you know they were going  
10   because you weren't answering questions?

11          A.    I would not know that because what  
12   happened was Hank Pilat and Claudia D'Amato never  
13   came to me and told me that -- and in some  
14   instances, they were the only ones that were privy  
15   to the answers.

16          Q.    Okay. Did Lisa -- I'm sorry, did Patrick  
17   Padulski tell you that other reps were coming to him  
18   because you didn't know answers?

19          A.    He may have, yes.

20          Q.    Okay. And what -- tell me that  
21   conversation, if you remember -- the conversations,  
22   if you remember them.

23          A.    I don't remember the specific of the  
24   conversations, but the way that the NMC worked was

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1       that a rep could go to anybody.

2               Q.    Did Lisa Smith come to you and tell you  
3       that others were coming to her because you didn't  
4       know answers to questions?

5               A.    I can't -- again, I'm sure that's -- that  
6       conversation may have occurred, but I also know that  
7       I answered a lot of questions of Lisa Smith's people  
8       that they were not familiar with.

9               Q.    Mr. Robinson, when did you first learn  
10      that the Reduction in Force was a possibility?

11              A.    I would say prior to July -- July 30th  
12      when I was informed.

13              Q.    Okay. You were actually informed on  
14      July 28th, weren't you?

15              A.    I don't know the specific date. It could  
16      be the 28th or the 30th. I thought it was  
17      July 30th.

18              Q.    Okay. Prior to that, you were in -- you  
19      were aware that a RIF was a possibility, were you  
20      not?

21              A.    We were told that our location was not  
22      going to be affected.

23              Q.    Who told you that?

24              A.    Hank Pilat told us that and Claudia



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1 D'Amato told us that.

2 Q. And when did she -- did when he or she  
3 tell you that?

4 A. They had numerous team meetings prior to  
5 the RIF and we were told that it would be AOM that  
6 would released down south, our location was safe.

7 Q. Well, at some point you knew that  
8 forty-two of the people in NMC were going, the  
9 techs, the reps were going; you knew that, didn't  
10 you?

11 A. Yes, I did.

12 Q. And when did you know that?

13 A. I would say prior to them being  
14 released --

15 Q. Okay.

16 A. -- you know, whatever the time frame is.

17 Q. And if all those reps were being  
18 released, then management would need to be released  
19 because management was supervising them; isn't that  
20 so?

21 A. That's correct.

22 Q. Okay. And was -- so the first time  
23 you're saying that you knew that there was going to  
24 be a RIF was when you were informed by Hank Pilat

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1       that it was going to occur?

2           A.    No, I would say probably about two weeks  
3       prior to that.

4           Q.    Okay. And tell me what you learned two  
5       weeks prior to that?

6           A.    That our location was going to be --  
7       first of all, they always said that somebody could  
8       retreat back to the -- as a service rep, okay? And  
9       then, for some reason, that was rescinded, but  
10      that's what people were told.

11          Q.    There was an open meeting of the Team  
12      Leaders?

13          A.    That's correct.

14          Q.    Were Hank and Claudia there --

15          A.    That's correct.

16          Q.    -- two weeks?

17          A.    That's correct.

18          Q.    And they said there would be a RIF at  
19      that point?

20          A.    There was always going to be RIF  
21      within --

22                      MR. FRAGOMENI: Answer his question,  
23      what did they say.

24                      THE WITNESS: Yes.

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1 MR. SPRINGER: Please don't  
2 interrupt him, let him finish.  
3 MR. FRAGOMENI: Listen, sir: Please  
4 don't tell me what to say. Okay?  
5 MR. SPRINGER: Don't interrupt him.  
6 MR. FRAGOMENI: Please don't tell me  
7 what to say.  
8 MR. SPRINGER: You've done it a  
9 lot. Don't do it --  
10 MR. FRAGOMENI: Please don't tell me  
11 what to say.  
12 Q. (By Mr. Springer) Mr. Robinson, tell me  
13 what you heard at that meeting?  
14 A. That there would be a RIF and that we  
15 would not be affected.  
16 Q. And who was the we that would not be  
17 affected?  
18 A. Myself and all the other Team Leaders  
19 that were present.  
20 Q. Okay. Were you also informed that --  
21 that the forty-two reps would be laid off at that  
22 point?  
23 A. I don't recall when we were informed of  
24 that.

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1 Q. Okay. When did you know that the RIF  
2 would affect the Team Leader?

3 A. Again, prior to July 30th.

4 Q. Okay.

5 A. The exact meeting that we were told that  
6 we would be affected I do not know.

7 Q. Okay. So you're saying two weeks before  
8 July 28th or 30th you were told that you wouldn't be  
9 affected and then there was a later meeting where  
10 you were told that you would be affected?

11 MR. FRAGOMENI: No wonder this is  
12 taking so long, sir, you are repeating his  
13 answers --

14 MR. SPRINGER: I was --

15 MR. FRAGOMENI: Wait a minute, you  
16 keep repeating his answers and then asking a  
17 question again.

18 No wonder it's taking so long.

19 MR. SPRINGER: Go ahead.

20 THE WITNESS: I would say that,  
21 to the best of my recollection, it was two weeks  
22 prior that we were informed that the RIF was  
23 going to take place, just to clarify.

24 I believe that prior to that --

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1 and again, whatever time frame was, you know,  
2 say from this -- right around this time frame  
3 of this note, I believe things were percolating  
4 but nothing was said, okay?

5 And it was from, say, the middle  
6 of June or the end of June to -- I'd say the end  
7 of June until the end of July, I don't know the  
8 exact time frame, that we were told that we  
9 would be affected at our location.

10 MR. FRAGOMENI: Continue.

11 THE WITNESS: All I remember  
12 is them constantly telling us we would not  
13 have anybody eliminated, even with the  
14 temporary employees being released from  
15 the payroll.

16  
17 Q. (By Mr. Springer) And Claudia and Hank  
18 told you that in team meetings?

19 A. Absolutely.

20 Q. And then at some point prior to your  
21 meeting with Hank Pilat and being told you were laid  
22 off, you learned that you were at risk and other  
23 Team Leaders were at risk; is that correct?

24 A. Yes, because Pat Stevens had a meeting.

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1 Q. And it was at that meeting that you were  
2 told you were at risk?

3 A. I believe it was probably the Friday or  
4 whatever the week before, couple days before.

5 Q. Okay. So whenever Mr. Stevens met with  
6 you and others, Team Leaders, and said you were at  
7 risk; is that correct?

8 A. I believe so, yes.

9 Q. Okay. Was it at that point that you were  
10 asked to fill out a resume or earlier?

11 A. We -- I don't know specifically when I  
12 was asked to fill out the resume, but again, it was  
13 in the June-July time frame.

14 Q. And then after the meeting with  
15 Mr. Stevens and the other Team Leaders, you met with  
16 Mr. Pilat where he informed you you were laid off;  
17 is that correct?

18 A. Yes.

19 Q. Was that --

20 A. He told I was -- he didn't say laid off.

21 Q. Can -- just so I'm clear --

22 Did you meet with him alone?

23 A. Yes.

24 Q. Was it in his office?

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1 A. No.

2 Q. Where was it?

3 A. It was in a -- the conference room.

4 Q. Okay. And tell me as nearly as you can  
5 remember what he said to you and you said to him?

6 A. I went in there and he was actually  
7 standing up in a corner and he said to me Sit down,  
8 and I sat down at the table similar to this and he  
9 told me that, you know, he gave me the package,  
10 whatever, and I said You've got to be kidding me,  
11 you know.

12 And I said you think that I'm going to be  
13 angry with this, I said I'm not. I said I don't  
14 believe this should happen and, you know, we'll  
15 discuss this at a later time.

16 Q. Did you believe you were being  
17 discriminated on the basis of age at that time?

18 A. Absolutely.

19 Q. Why?

20 A. Because I was the oldest white male that  
21 was there and I was the only one that was  
22 retirement-eligible.

23 Q. Any other reason you believe that that  
24 decision was made?

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1 A. All of the other incidents that I've  
2 cited in the previous questioning.

3 Q. So you felt at that point, no question it  
4 was age discrimination; is that correct?

5 A. That's correct.

6 Q. And had you made up your mind that you  
7 were going to sue at that point?

8 A. No, absolutely not.

9 Q. Okay. Had you consulted a lawyer yet?

10 A. No, I didn't.

11 Q. But you knew that when he said he was  
12 going to hear from you, what did you mean?

13 MR. FRAGOMENI: That's not what he  
14 said.

15 Don't put words in his mouth, that's  
16 not what he said.

17 Q. (By Mr. Springer) Tell me what you  
18 remember testifying?

19 A. Testifying to?

20 Q. Just a few minutes ago I thought you said  
21 that Mister -- you told Mr. Pilat --

22 MR. FRAGOMENI: He said they would  
23 discuss it later -- that's what they said, or  
24 what he said.



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1 MR. SPRINGER: Well -- please.

2 MR. FRAGOMENI: If you have an  
3 opportunity to put words in his mouth, that is  
4 not appropriate in this deposition, sir.

5 MR. SPRINGER: Well --

6 MR. FRAGOMENI: That's not  
7 appropriate.

8 MR. SPRINGER: Well, if you read the  
9 federal rules, you'd learn what was appropriate at  
10 a deposition.

11 MR. FRAGOMENI: I have read the  
12 federal rules and if you want --

13 MR. SPRINGER: Why don't we --

14 MR. FRAGOMENI: We can read them  
15 right now, if you want. You can cite what rule I'm  
16 violating.

17 MR. SPRINGER: Rule 30.

18 MR. FRAGOMENI: What rule am I  
19 violating?

20 MR. SPRINGER: Rule 30.

21 MR. FRAGOMENI: And what is the  
22 violation?

23 MR. SPRINGER: You're interfering,  
24 you're objection, you're coaching.

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1 MR. FRAGOMENI: I'm not coaching  
2 anybody.

3 You can say any opportunities, right?

4 MR. SPRINGER: Look at this record.  
5 Look at this record and you'll find out, and I'd  
6 like to continue.

7 MR. FRAGOMENI: Right. Please,  
8 don't put words in his mouth, okay? He did not say  
9 you will hear from me.

10 That's not what he said.

11 MR. SPRINGER: What did he say?

12 THE WITNESS: We'd be discussing it.

13 Q. (By Mr. Springer) And what did you mean  
14 by saying we'd be discussing it?

15 A. I didn't know what I meant at that  
16 particular time.

17 It was quite a shock to me.

18 Q. Was it -- did you feel you'd be  
19 discussing the fact that you thought it was age  
20 discrimination?

21 A. Yes, because of the things that had  
22 transpired over the course of my time there.

23 Q. And just so we are clear about the things  
24 that had transpired, tell me if I'm omitting

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1 anything:

2 There was the unicorn cartoon; there were  
3 the remarks he had made three times he had, you  
4 know, raised the issue of your retirement to -- for  
5 a package prior to the reduction, I mean prior to  
6 the strike, and there was, as I just said, the fact  
7 that you were the oldest white male that was in the  
8 department?

9 A. Yeah.

10 Q. Anything else?

11 A. Also the preferential treatment that was  
12 given to younger males.

13 Q. And you've described that here?

14 A. That's correct.

15 Q. Yeah -- in this deposition I mean?

16 A. Also the fact that I had never been  
17 spoken to about performance when I was up to the  
18 NMC, never once.

19 Q. Anything else?

20 A. That's all I can recall right now.

21 Q. Okay.

22 MR. SPRINGER: (Hanging.)

23 (C. Robinson Exhibit No. 7, 1-Page Charge  
24 of Discrimination, marked for

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1 identification.)

2 Q. (By Mr. Springer) That's your signature  
3 there as well, Mr. Robinson?

4 A. That's correct.

5 Q. And this is what you filed with the MCAD,  
6 is it not?

7 A. Yes.

8 Q. Okay. And had you consulted a lawyer at  
9 this point?

10 I see -- I see, I'm sorry, actually Mr.  
11 Fragomeni's name is listed. So you had consulted a  
12 lawyer by this point; is that correct?

13 A. That's correct.

14 Q. Okay. And you also say that the date of  
15 most recent -- date of most recent or continuing  
16 discrimination was 8/7/01 and what occurred on that  
17 date, if you would, sir?

18 A. I don't know specifically. Again, I  
19 don't know -- August 7th, '01 I was laid off on  
20 July 28th, so I would have to say, again,  
21 August 7th, I don't know why that date is there. I  
22 would have to say it was because of my termination  
23 from the payroll.

24 Q. Okay. And you were laid off when, in

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1 your view, when Mr. Pilat told you that you were  
2 getting a package in his office; is that correct?

3 A. I know it didn't look good.

4 Q. Pardon?

5 A. I know it didn't look good.

6 Q. What do you mean?

7 A. Well, of course I thought I was, but --  
8 yes.

9 Q. Yeah, you knew you were laid off?

10 A. Yes.

11 Q. Okay. And that's why you were so upset?

12 A. Yes.

13 Q. And you -- that's why you told them that  
14 this is not right; didn't you say that to him?

15 A. I don't recall saying that.

16 Q. Okay. Do you remember thinking it?

17 A. I thought I was an excellent employee and  
18 I had no reason to believe other than the things  
19 that transpired with Mr. Pilat, I had another been  
20 talked to about my performance -- never.

21 Q. Okay. And you were -- when you walked  
22 out of Mr. Pilat's office, you were concern your  
23 career at Verizon was over, weren't you?

24 MR. FRAGOMENI: Objection.

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1 THE WITNESS: No.

2 Q. (By Mr. Springer) Why not?

3 A. Because what I did was I tried to network  
4 and get a job and I thought I was an excellent  
5 employee.

6 Q. I understand, but those didn't succeed,  
7 did they?

8 A. No, obviously not -- I'm here.

9 Q. Okay. And there were -- there was no --  
10 there was no certainty you were going to be able to  
11 network and get a job, was there?

12 A. There's nothing certain in life.

13 Q. Sure. Do you remember any more of the  
14 conversation with Mr. Pilat on that day when you  
15 were told you were being laid off?

16 A. No. I was pretty traumatized.

17 I do remember this -- that he asked me  
18 before he wanted me just to take all of -- not all  
19 of my belongings, just to leave the premise (sic),  
20 but before I did, to please go and make sure the  
21 service rep had their work assigned before I left  
22 the premise and being the good soldier, that's what  
23 I did.

24 Q. Okay. And so you were asked to leave the

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1 premise that day?

2 A. That's correct.

3 Q. So you knew your employment was over?

4 A. I wasn't escorted out, but I more or less  
5 thought that, yes.

6 Q. Mr. Robinson, when did you first believe  
7 you were discriminated against on the basis of age;  
8 was it at the time that you were laid off or was it  
9 before?

10 A. I believe that it occurred -- again, as I  
11 have stated when I was being asked those questions  
12 -- the refusal to provide me training in the  
13 service order process, again the assignment to the  
14 work, etcetera.

15 Q. Did you complain to anyone about that?

16 A. No, I didn't.

17 Q. Why not?

18 A. Because I always -- I complained to  
19 Mr. Pilat.

20 Q. Well, you only complained to him about  
21 the fact that you didn't want him to make a  
22 reference to your accepting a package any more and  
23 then he stopped?

24 A. Again, he was my boss.

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1 Q. I understand but I'm asking:

2 Did you complain to him about anything  
3 other than that?

4 A. I don't know what you mean.

5 Q. Well, I'm asking did you complain to  
6 anyone about what you felt, you claim now was age  
7 discrimination or that you felt was age  
8 discrimination. You said that you complained to  
9 Mr. Pilat about the comments that he made and then  
10 he stopped them. I'm asking you did you -- did you  
11 complain to anyone about anything else?

12 A. No, I didn't.

13 Q. Why not if you thought it was age  
14 discrimination?

15 A. That just wasn't in me.

16 MR. SPRINGER: (Handing.)

17 (C. Robinson Exhibit No. 8, 4-Page  
18 Resume, marked for identification.)

19 Q. (By Mr. Springer) This was a resume that  
20 you filled out, was it not?

21 A. That's correct.

22 Q. Okay. Do you remember when you filled it  
23 out?

24 A. No.



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1 Q. There is a date down at the bottom,  
2 7/10/01 -- 2001 early in the morning. Does that  
3 refresh your recollection?

4 A. If that's the date stamp, that would be  
5 the date stamp.

6 Q. Okay. So it was about that time, to the  
7 best of your memory?

8 A. Yes.

9 Q. And what were you told about the purpose  
10 for which you were to provide this resume?

11 A. Again, we were always supposed to have a  
12 resume on file.

13 Q. Okay. Were you told that there was any  
14 special purpose for this resume?

15 A. Again, I know that a RIF was occurring.

16 Q. So by 7/10/01, you knew -- withdraw that.  
17 At the time you were filling out this  
18 resume, you knew a RIF was occurring?

19 A. I'm not positive on that because, again,  
20 we had our meetings and we were told basically just  
21 to have our resume, that's all. I do not know when  
22 we were officially notified.

23 Q. Okay. Do you have any memory of this  
24 resume being filled out for any special purpose?

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1 A. Again, to have on it file.

2 Q. Okay. But it also could have been filled  
3 out because you were told a RIF was occurring?

4 A. Yes.

5 Q. Okay. It says here accomplishments. As  
6 a member of the NMC, I helped Verizon enter the long  
7 distant market in Mass. by meeting key objectives?

8 A. Correct.

9 Q. What did you do to help Verizon enter the  
10 long distant market in Massachusetts?

11 A. I ensured that the service reps were  
12 writing the orders and that we were processing the  
13 orders to the best of our ability to meet any of the  
14 points that were required in order to enter the long  
15 distance market.

16 Q. Any other way you helped Verizon enter  
17 the long distance market in Massachusetts?

18 A. No.

19 Q. Are there any other accomplishments that  
20 you had during your tenure there from April of 2000  
21 to 7/10/2001?

22 A. Yes.

23 Q. What other accomplishments?

24 A. My accomplishments were that I helped

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1 institute -- known to my bosses, as a matter of  
2 fact, my boss Hank Pilat -- that I streamlined the  
3 process as far as identified a process to make sure  
4 that Central Office data was up-to-date with the  
5 correct nomenclature so that service orders would  
6 flow through.

7 I also was -- I was involved with COVAD  
8 and again, I straightened out a lot of their more  
9 serious issues, such as -- you know, losing our  
10 service at particular buildings. I also was  
11 involved with the attendance, identifying that; I  
12 also --

13 Q. Attendance?

14 A. Attendance -- make that more streamlines,  
15 you know, I suggested that to Lou Leone who set it  
16 up.

17 Q. Attendance?

18 A. Attendance so that it could be on-line,  
19 you know, a tracking system so that we could see how  
20 many orders were written by our service reps so that  
21 we could be compared with our other -- other peers,  
22 you know, so that each Team Leader could be looked  
23 at.

24 But also, I just want to let you know

1     that I'm saying that's accomplishments now, but the  
2     way that I was brought up in this business was that  
3     unless you save the company money or were really  
4     involved in some great things such as, you know,  
5     helping Verizon into the long distance market, they  
6     were not considered accomplishments because this  
7     accomplishment in reality is significant  
8     accomplishments, you know, something that saved the  
9     company money, something you stood out doing, you  
10    know, something other -- because I believe even the  
11    description on the resume, you know, how to fill  
12    this out was you don't throw every stupid little  
13    thing in.

14           Q.    Okay.

15           A.    Okay? I believe that anything that I did  
16    was I was performing my job.

17           Q.    And, in fact, with regard to COVAD work  
18    and the attendance, that was part of your job,  
19    wasn't it?

20           A.    No, because in COVAD, it was my special  
21    expertise that was able to resolve issues, you know,  
22    get inventory built quicker and, you know, I knew  
23    where to go to have this done.

24           Q.    Well, describe that a little more

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1 specifically, what special expertise did you bring  
2 to the job?

3 A. My engineering expertise.

4 Q. And that allowed inventory to be built  
5 more quickly?

6 A. That's correct.

7 Q. And so what you were doing was  
8 essentially servicing the customer, weren't you?

9 A. Exactly.

10 Q. And that's part of your job?

11 A. Exactly.

12 Q. All right. And that's why you didn't  
13 list that here; is that correct?

14 A. Exactly.

15 Q. How many other people were involved in  
16 helping Verizon enter the long distance market?

17 A. I would say a lot of people.

18 Q. Hundreds?

19 A. I don't know the numbers.

20 Q. At least dozens, wouldn't you say?

21 A. Are we talking -- again, I would say so,  
22 yeah.

23 Q. After your conversation with Mr. Pilat  
24 where he indicated to you that you would no longer

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1 have a job, did you have any further conversations  
2 after you walked out of the -- I'm sorry, you were  
3 walk -- were you escorted out?

4 You weren't escorted out, that's correct,  
5 but you were told to leave the premises --

6 A. That's correct.

7 Q. -- on that day.

8 Did you have any subsequent conversations  
9 with Mr. Pilat?

10 A. What do you mean by conversation?

11 Q. Did you have any talks with Mr. Pilat  
12 after that day?

13 A. No.

14 Q. Okay. Did you have any talks with  
15 Claudia D'Amato after that day?

16 A. No.

17 Q. Do you know what Claudia D'Amato's  
18 involvement was in the decision to select you for  
19 layoff among the Team Leaders?

20 A. No, I do not.

21 Q. And only Mr. Pilat met with you, not  
22 Ms. D'Amato?

23 A. That's correct, Mr. Pilat was my direct  
24 supervisor.

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1 Q. Did he tell you the reasons that you were  
2 selected at that time?

3 A. No.

4 Q. Did you ask him?

5 A. No.

6 Q. Why not?

7 A. I don't remember asking because the way  
8 that -- again I don't remember the conversation, but  
9 I remember that he was basically reading from a  
10 script, you know, telling me -- bang, bang, bang.

11 Q. Okay. And now that you have said he was  
12 reading from a script, do you remember any more of  
13 the conversation --

14 A. No.

15 Q. -- that you had with him in the  
16 conference room?

17 A. No. I just remember again, just bang,  
18 bang, you know, I don't remember a lot of the  
19 specifics of it, but I do remember him saying you've  
20 been selected, that's all.

21 Q. And as soon as he said that, you felt it  
22 was age discrimination?

23 A. Absolute not. I felt age discrimination  
24 prior to that.

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1 Q. Well, you certainly felt it at that  
2 time --

3 A. Oh, absolutely.

4 Q. -- as well?

5 And we've gone over the prior  
6 occasions --

7 A. Yes.

8 Q. -- haven't we?

9 A. Yes.

10 Q. Your claim is that you suffered emotional  
11 distress here as a result of Verizon's actions; is  
12 that correct?

13 A. That's correct.

14 Q. What conduct exactly was the cause of  
15 that distress?

16 A. My being released from the -- terminated.

17 Q. Your being released from the company?

18 A. Yes.

19 Q. Okay. Describe, if you would, how you  
20 have suffered emotionally.

21 A. I'll tell you I lost a lot of self esteem  
22 and, you know, the inability to sleep. I've also  
23 lost confidence in myself -- and I'm getting that  
24 back now.



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1 MR. SPRINGER: Off the record.  
2 (Discussion off the record.)  
3 MR. SPRINGER: Back on the record.  
4 Q. (By Mr. Springer) Mr. Robinson, how soon  
5 after Mr. Pilat told you you would no longer be  
6 employed and you'd need to vacate the premises and  
7 gave you the package did you start looking for a job  
8 on the outside?  
9 A. I didn't look for a job on the outside.  
10 When you say the outside --  
11 Q. I mean other than Verizon internally;  
12 you said you looked for jobs externally.  
13 A. As soon as I -- you know, my time frame  
14 was over.  
15 August 28th was the actual date that I  
16 was released from the Verizon payroll.  
17 Q. Right. And so when did -- as -- on  
18 August 28th did you start looking for jobs on the  
19 outside?  
20 A. I would say the following week  
21 absolutely.  
22 Q. Okay. Was it before then?  
23 A. No, I didn't look before then.  
24 Q. No need to because you were on the

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1 (phonetic spelling) and he's at Revolution Group,  
2 and I sent my resume to him. He did consultant work  
3 for various telecommunications companies --  
4 everybody basically I spoke to.

5 Q. Mr. Robinson, you don't believe you  
6 should have been laid off, is that correct -- chosen  
7 for layoff; is that correct?

8 A. That's absolutely correct.

9 Q. Who you think should have been, your  
10 staff?

11 A. That wasn't my decision to make, but I  
12 believe that there were people that performed below  
13 me.

14 Q. And who were those?

15 A. I would say Lisa Smith was one.

16 Q. Anyone else?

17 A. I believe that Adam Alberti was another.

18 Q. Anyone else?

19 A. I also believe that Matt Blais was  
20 another.

21 Q. Okay. And you do believe it should have  
22 been based on performance?

23 A. Yes.

24 Q. Okay. Why was Matt -- why was Matt

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1 Blais's performance below yours in your view?

2 A. I believe that I was just superior to the  
3 people there. Do you see that I said as far as a  
4 performer goes, knowing the overall job, knowing how  
5 to deal with people and that's what I believe.

6 Q. Okay. And the basis for that, if you  
7 could be more --

8 A. The basis is my experience and my proven  
9 track record.

10 Q. Okay. Did you make any complaints about  
11 any other Team Leaders that you thought were not as  
12 knowledgeable as you to Mr. Pilat or Claudia  
13 D'Amato?

14 A. I never made any complaints about that,  
15 no.

16 Q. Okay. What about Mr. Padulski, did you  
17 ever complain about him?

18 A. I complained that he did not provide me  
19 information.

20 Q. Okay. Other than that, did you make any  
21 other complaint about him?

22 A. No.

23 Q. Did you make any complaint about Lisa  
24 Smith?